

FOURTH

ANNUAL REPORT

OF THE

LIVERPOOL PERMISSIVE BILL ASSOCIATION,

NOW THE

Popular Control and Licensing Reform

ASSOCIATION,

JANUARY 1ST TO DECEMBER 31ST, 1875.


LIVERPOOL

POPULAR CONTROL AND LICENSING REFORM ASSOCIATION,

42, RENSCHAW STREET.

---

1876.



Digitized by the Internet Archive  
in 2019 with funding from  
Wellcome Library

<https://archive.org/details/b3057383x>

# Title and Objects of the Association

*(As approved by the Subscribers)*

---

## LIVERPOOL POPULAR CONTROL AND LICENSING REFORM ASSOCIATION.

---

- 1.—To obtain from Parliament the effective control of the Liquor Traffic by the Ratepayers.
- 2.—To support measures introduced into Parliament for lessening the facilities for the Sale of Intoxicating Liquor.
- 3.—To secure Closing of Public-houses during the whole of Sunday, and further diminution of the Hours of Sale on Week-days.
- 4.—To secure Closing of Public-houses on Parliamentary and Municipal Election days, and on all other days of public polling.
- 5.—To reduce Intemperance by the strict enforcement of existing laws.
- 6.—To influence public opinion and to promote the return of Representatives to Parliament and Town Council favourable to the objects herein named.

*Names of Vice-Presidents received after the Printing of the Report—*

Rev. SAMUEL PEARSON, M.A.

Rev. A. SCOTT MATHESON.

R. M'DOUGALL, Esq. .



## LIST OF OFFICERS.

President:

R. A. ESKRIGGE, ESQ.

Vice-Presidents:

B. F. BABCOCK, ESQ.,  
A. BALFOUR, ESQ.,  
J. W. T. BRASS, ESQ., M.D.,  
REV. HUGH STOWELL BROWN,  
,, J. BURBIDGE, M.A.  
,, H. S. BRAMAH, M.A.,  
,, COLIN BREWSTER,  
J. B. BURROWS, ESQ., M.D.,  
W. S. CAINE, ESQ.,  
S. J. CAPPER, ESQ.,  
HENRY CLARK, ESQ.,  
REV. G. ELLIS,  
,, J. FOULKES,  
,, JOHN GRAHAM, D.D.,  
,, CHARLES GARRETT,  
J. HAKES, ESQ., M.D.,  
J. W. HAYWARD, ESQ., M.D.,  
REV. SILAS HOCKING,  
D. HUGHES, ESQ.,  
REV. JOHN HUDSTONE,  
,, W. INMAN,  
,, OWEN JONES,  
,, J. KING,  
,, T. MAJOR LESTER, M.A.,  
ROBERT LOCKHART, ESQ.,  
REV. E. LESTER,  
,, H. P. LINTON,

REV. R. D. MAUD,  
,, A. McLEOD, D.D.,  
,, W. K. MOORE, M.A.,  
THOMAS MATHESON, ESQ.,  
C. P. MELLY, ESQ.,  
REV. FATHER NUGENT,  
T. OLLIS, ESQ.,  
REV. PROFESSOR J. PRAG,  
REGINALD RATCLIFFE, ESQ.,  
H. R. ROBERTS, ESQ.,  
REV. P. G. SCOREY,  
,, A. M. SYMINGTON, M.A.,  
,, W. F. STUBBS, B.A.,  
SAMUEL SMITH, ESQ.,  
JAMES SMITH, ESQ.,  
JOS THOMAS, ESQ.,  
REV. JOHN THOMAS,  
,, J. THOMAS, B A.,  
,, R. THOMAS,  
,, JAMES TOWERS, M.A.,  
B. TOWNSON, ESQ., M.R.C.S.L.,  
G. Y. TICKLE, ESQ.,  
REV. E. R. WILBERFORCE, M.A.,  
,, E. E. WALTER,  
JOHN WILLIAMS, ESQ.,  
J. R. WILLIAMS, ESQ.,  
REV. J. YEAMES.

## EXECUTIVE, 1876:

Chairman and Treasurer—MR. W. S. CAINE, Cliff House, New Brighton.

Mr. B. F. BABCOCK.....17, Water Street,  
 „ M. C. BUCK.....12, Kensington,  
 „ T. F. BURNESSE ... ..16, Dale Street,  
 „ W. S. CAINE .....Cliff House, New Brighton,  
 „ B. CLARKE.....23, The Willows, Breck Road,  
 „ J. B. COLLINGS .....13, Baker Street,  
 „ W. CROSFIELD, Jun. ... 5, Alexandra Drive, Prince's Park,  
 „ J. HILES... ..Rice Lane, Walton,  
 „ J. W. HARRISON .....26, Great George Street,  
 „ THOMAS JACKSON .....Hamilton Square, Birkenhead.  
 „ J. H. JACKSON ..... 2, Upper Baker Street,  
 „ EDWARD JONES .....35, Newstead Road,  
 „ I. MILLER .....44, Chatham Street,  
 „ T. OLLIS.....169, Islington,  
 REV. S. TODD.....137, Huskisson Street,  
 Mr. CALVERT VARTY .....Market Cross, Birkenhead,

Hon. Secretary—MR. JOHN B. COLLINGS, 13, Baker Street,

Agent—MR. NATHANIEL SMYTH,

Offices—42, RENSHAW STREET.

# LAST YEAR OF THE PROMISES

## TO THE

### FIVE YEARS' GUARANTEE FUND.

	£	s.	d.		£	s.	d.
W. S. Caine...	1,000	0	0	Brought forward, £3,481	5	0	
Samuel Smith ...	1,000	0	0	J. Wycherley ...	5	5	0
James Smith ...	300	0	0	S. Barrow (Annual)	5	0	0
Alexander Balfour ...	250	0	0	J. B. Collings ...	5	0	0
Balfour, Williamson and Co. ...	250	0	0	M. C. Buck ...	5	0	0
R. A. Eskrigge ...	100	0	0	George Glover ...	5	0	0
R. Lockhart ...	100	0	0	J. Hiles ...	5	0	0
C. P. Melly ...	100	0	0	T. Salthouse ...	5	0	0
William Crosfield ...	50	0	0	W. B. Marshall ...	5	0	0
George Golding ...	50	0	0	I. C. Thompson ...	5	0	0
Thomas Matheson ...	50	0	0	Shoemakers, per S. Smith ...	5	0	0
R. Kerr ...	25	0	0	E. Allen ...	3	0	0
S. Quilliam ...	25	0	0	G. Phillip ...	2	12	6
R. Radcliffe ...	25	0	0	Thomas Simpson ...	2	12	6
B. Townson ...	25	0	0	J. Blair ...	2	10	0
E. Woodward ...	25	0	0	B. Clarke ...	2	10	0
Robert Gibson (Sub- scription) paid ...	20	0	0	Thomas Cowley ...	2	10	0
Ronald McDougall ...	10	0	0	R. W. Cottle ...	2	10	0
A. Brown (Annual)	10	0	0	Thomas Fallows ...	2	10	0
E. Jones, B.A. ...	10	0	0	E. Lewis ...	2	10	0
J. Stubbs ...	10	0	0	Isaac Miller ...	2	10	0
J. H. Jackson ...	10	0	0	J. Montgomery ...	2	10	0
J. Thomas ...	10	0	0	D. Mylchrist ...	2	10	0
Thomas Hanmer ...	5	5	0	H. Porter ...	2	10	0
R. C. Isaacs ...	5	5	0	E. Shaw ...	2	10	0
D. Jones & Co. ...	5	5	0	T. Southart ...	2	10	0
G. Holt ...	5	5	0	E. Wilkie ...	2	10	0
E. P. Parry ...	5	5	0	W. Burgess ..	1	5	0
Carried forward, £3,481	5	0		Carried forward, £3,573	10	0	

	£	s	d.		£	s.	d.
Brought forward, £3,573	10	0		Brought forward, £3,595	12	6	
E. Burgess ...	1	5	0	Rev. W. K. Moore ..	0	12	6
Rev. C. Brewster ...	1	5	0	Thomas Oates ...	0	12	6
Charles Conquer ...	1	5	0	P. Thompson ...	0	12	6
J. H. Evans ...	1	5	0	Thomas Poole ...	0	10	0
Miss Fleming ...	1	5	0	R. Ward ...	0	10	0
John Griffiths ...	1	5	0	James Sayer ...	0	7	6
Thomas Hindley ...	1	5	0	James Yates ...	0	7	6
E. Hughes ...	1	5	0	G. M. Bray... ..	0	5	0
W. P. Jones ...	1	5	0	J. Birchall ...	0	5	0
William Latimer ...	1	5	0	G. Carter ...	0	5	0
F. Miller ...	1	5	0	G. L. Elliott ...	0	5	0
W. Baker, junr. ...	1	0	0	C. Green ...	0	5	0
Edward Cowley ...	1	0	0	D. Keith ...	0	5	0
Job Jones ...	1	0	0	E. Knox ...	0	5	0
Rev. A. McAuley				John Mark ...	0	5	0
(Annual)...	1	0	0	H. Parr ...	0	5	0
T. Brown ...	0	12	6	T. Postlethwaite ...	0	5	0
J. W. Harrison ...	0	12	6	J. Smith ...	0	5	0
B. Hunt ...	0	12	6	James Stubbs ...	0	5	0
William Holland ...	0	12	0	S. Thompson ...	0	5	0
F. T. Jones...	0	12	6	W. Watkin ...	0	5	0
Sarah Latimer ...	0	12	6	W. H. Williams ...	0	5	0
George Latimer ...	0	12	6	George Worrall ...	0	5	0
Carried forward, £3,595	12	6		Total promised, £3,603	6	0	

*Promises to the Fund will not be held binding in the event of death or inability to subscribe. All subscriptions to the Fund take the place of the usual annual contributions. Cheques and Post-Office Orders may be sent to the Treasurer, W. S. CAINE, Esq.; or to the Agent, MR. N. SMYTH, 42, Renshaw Street.*

# REPORT.

---

IN presenting their Report to the Subscribers the Executive of the Liverpool Permissive Bill Association feel that no apology is needed. They come fresh from the engagements of the past year to meet their friends in council, and to ask for more help in order to accomplish more work. It is with a degree of confidence and gratification they refer to what, by the providence of God, they have been enabled to accomplish, and feel persuaded that (noting carefully all that has been done in Liverpool during the year by others as well as themselves) the friends of truth and right have reason to thank God and take courage.

To review the proceedings of the past year, and to place before our Subscribers in some detail the work of the Association, is our purpose. In addition, attention is respectfully called to the various legal points (inserted in the Report), the discussion upon which has thrown light upon the public-house question in Liverpool, and must be of interest to all.

## MEETINGS.

In the month of January the meetings in connection with Templar Lodges (carried on so successfully last year) were continued. The annual business meeting was held, and a very large gathering of members and friends assembled in the Concert Hall to hear a lecture from J. H. Raper, Esq.

These were followed by a series of meetings to promote the petition agitation. The Executive invited a large number of ladies to tea in Hardman Hall on the 29th of the month, when arrangements were made for securing their assistance in the movement.



In April a meeting was held in the Concert Hall, when addresses were delivered by Dr. Edmonds, of London, and Rev. Professor Kirk, of Edinburgh.

On the departure of the Hon. General Neal Dow, the Executive entertained him to breakfast at Laurence's Hotel, glad of the opportunity of thus manifesting their esteem to the author of the Maine Liquor Law, ere he left England for his native land.

On the 11th November the Annual Public Meeting was held in the Philharmonic Hall, when the chair was taken by H. Clark, Esq., and the speeches given by Sir George Brooke Pechell, Bart.; Benjamin Whitworth, Esq., M.P.; J. E. Thorold Rogers, Esq., Professor of Political Economy; Hon. W. Fox, M.A., ex-Premier of New Zealand; Rev. G. H. Connor, M.A., Chaplain to the Queen; Rev. E. R. Wilberforce, M.A.; and W. S. Caine, Esq. For vigour of thought and earnestness on the part of the speakers, and intelligent interest on the part of the hearers, the meeting has never been excelled. Our Agent has attended a very large number of other meetings during the year.

We may here mention that a most enthusiastic meeting was presided over by Thomas Matheson, Esq., in the Philharmonic Hall on May 15th, when the result of the Town's Canvass was publicly stated.

#### PUBLICATIONS.

This year, in addition to the annual report, we have published two four-page tracts, entitled "A Dark Spot on the Mersey," indicating the unhealthy district where the death-rate is highest; and "Bright Spots on the Mersey," descriptive of those parts of Liverpool where, by the will of the landlord, the sale of intoxicating drinks is prohibited.—See *Appendix A and B*.

Five leaflets have also been issued: No. 1, entitled "Look on This Picture and on This," pointing out the great discrepancy between the convictions for *drunkenness* and the convictions for *permitting drunkenness* in Liverpool in 1874, was circulated to the number of 100,000 copies, and, we have reason to believe, with very good results.

The importance of the subject of Leaflet No. 2 must not be overlooked, for it appears quite evident that though the "Act for the more effectual Prevention of Crime, 1871," may be enforced in Liverpool so far as regards returned convicts, its operation in reference to houses (the harbour and resort of thieves and bad characters) is ignored altogether, and the Watch Committee shield themselves behind a resolution like the following:—"That the Watch Committee do not think the Head Constable would be justified in giving evidence on the points mentioned."

No. 3 Leaflet referred to six points, which were quite within the discretion of the magistrates, and any of which acted upon would tend to diminish the open profligacy and vice in the town.

No. 4 consists of the remarkable utterances of the late Robertson Gladstone, Esq., and F. A. Clint, Esq., of the present Recorder, and J. J. Stitt, Esq., on "The Publicans and their Houses."

No. 5 reveals the fact that Leaflet No. 1 has had some effect upon the authorities in Liverpool.—*See Appendix C.*

Our most important publication, however, has been the "Drink Maps of Liverpool," revealing the terrible facts that in the neighbourhoods of St. John's Market, the Sailors' Home, and the Exchange, besides other places, our authorities have allowed the law almost entirely to be set aside; the carrying on the business of a public-house under one license in two or more streets, and virtually flooding those parts of the town with drink.

In giving evidence before the Committee of Magistrates, our Agent put in three of the maps in confirmation of his statements, and your Executive are glad to know that they are bound up in the Report presented to the full Bench.

Steps have been taken to provide that a copy of these Maps shall be placed in the hands of every Judge and Peer of the realm, and Member of the House of Commons during the month of Feb. next.

A copy was also prepared for Her Most Gracious Majesty the Queen; but in a letter from Sir Thomas Biddulph we learned that the semi-political character of our Association prevented her acceptance of the same.

Another document, entitled "Licensing Magistrates, Brewers, and Transfers," was also prepared and sent to each of the magistrates of Liverpool. It was arranged to show at a glance all the houses for which transfers had been obtained twice or more during the year. The memorial which accompanied it will be found under the head of "Transfers, etc."

#### DEPUTATIONS.

At the request of the United Kingdom Alliance, Mr. Eskrigge, Mr. Balfour, Father Nugent, Mr. E. Jones, Mr. J. B. Collings, Mr. I. Miller, Mr. T. Ollis, Mr. Burness, Rev. S. Todd, Mr. J. Thornton, and Mr. N. Smyth, attended, as a deputation, the great meeting at Exeter Hall, on Monday, June 14th, and subsequently, on the 15th, formed part of the deputation that waited on the Home Secretary. On that occasion Mr. Eskrigge, our President, addressed Mr. Cross for our portion of the deputation. Mr. Cross, in his general reply, said:—

"That the force of a deputation did not lie in its number, but in the arguments it adduced. He had not thought the deputation would have come in such numbers. He had refused to receive deputations from all sides on the subject, because the subject was well understood, and he only consented to receive this deputation because he understood they had some particular points to lay before the Government, and it was for the purpose of receiving these points that he had agreed to meet the deputation at all. They were anxious to have the great evils which resulted from drunkenness rectified, but it did not follow that the way the deputation thought best was the one that should be adopted. It would not become him, then, to give the reasons why the Government differed from the views of the Alliance; these reasons would be given to-morrow in the House of Commons. They could hardly expect but that on such a great question—it was a great question—the Government would have already made up their mind, and they would not suppose that the opinion of the Government, which had been formed, would be altered simply by the fact of a deputation waiting on him the day before the measure was to come on. Although (he said) we may take exception to your views, we all wish that everything should be done that can be, for the improvement of the people. Mr. Cross then remarked that he thought he had said all that he ought to say."

It may not be amiss to contrast the icy, official tone of the above reply with the utterances of the same gentleman at the laying of the foundation stone of a church at Garston, only a week or two before. He said:—

"There is not one of you to whom I have the pleasure of speaking at the present time but has the power, by his own example and influence with those in his particular circle, of doing enormous good, and of putting down a vast



amount of vice and evil. I will take one particular instance for a moment. Take the crime of drunkenness. How much of the drunkenness, vice, immorality, and wretchedness, even throughout this town in which we are living, do you think by your example you could help to put down? The nation is merely made up of families and neighbours. Take the husband and the wife, take the parent and the child, take the workman and his fellow-workman, how much can each individual do to show the drunkard the shame of drunkenness—to show him that if he does not give it up, at all events, to teach him that so long as he continues in that evil course, you will not hold out to him the right hand of fellowship, which he would otherwise have? You must remember, when talking of the responsibility of the clergyman, the responsibility of the laity, that you yourselves, however humble your position, have enormous influence—far more than you think—and that by your example, at all events, you can do much to mitigate the vice, wretchedness, misery, and drunkenness which we see around us.”

The Deputation waited upon the Borough Members, and found that each of them remained unconvinced of the just, fair, and patriotic principles contained in Sir Wilfrid Lawson’s Bill. A number of the Executive also attended the Council of the Alliance on the 16th October.

Deputations have visited Birkenhead, Wallasey, Waterloo, Prescott, Walton, Woolton, Bootle, Crosby, Rainhill, Garston, and Seaforth.

#### TOWN’S CANVASS.

One of the most noteworthy events of the past year is undoubtedly the Town’s Canvass. It will be remembered that at the latter end of 1874 a Ministerial Conference was held in Liverpool, at which it was resolved to memorialize the Mayor to call a Town’s Meeting (1st, To urge Her Majesty’s Government further to amend the Licensing Laws; and 2nd, To urge a certain course of action upon the Borough Justices). This meeting his Worship declined to call, and the Committee, acting on behalf of the memorialists, resolved to canvass the householders of the town. The services of our Agent were asked for, and under his superintendence the canvass was prosecuted, with the following results:—

A total number of 54,893 votes were given.

Are you in favour of—	Yes.	No.	Majority.
1. Effective Control of Public-houses and Beer-houses by an adequate Staff of Inspectors? ... ..	41,079	6,633	34,446
2. Lessening the number of Houses, especially by withdrawal of Licenses after convictions? ... ..	46,797	4,037	42,710
3. Shortening the hours of Sale? ... ..	43,857	7,510	36,347
4. Entire Sunday Closing? ... ..	44,061	8,542	35,519

Your Executive are rejoiced that they were enabled to render aid in this important work, and fully endorse the language used by the Liverpool papers at the time:—"It may be safely inferred that the major part of the community are dissatisfied with Liverpool's 'moral state, and are favourable to ameliorative legislation.'"

#### PETITIONING.

Desirous of carrying out in Liverpool the policy pursued by the friends of the United Kingdom Alliance in all parts of the Kingdom, your Executive entered heartily into the petition movement in favour of Sir Wilfrid Lawson's Permissive Prohibitory Liquor Bill, and have great satisfaction in recording that Liverpool headed the list of petitions presented to the House of Commons from the towns and cities of the United Kingdom. The number of signatures were 76,647 ; our last great petition in 1872 contained 73,119 signatures.

The reception and presentation of the same in the House of Commons is thus graphically described by the London correspondent of the *Liverpool Daily Albion*, June 16th, 1875 :—

"The monster petition from Liverpool in favour of the Permissive Bill was presented to the House of Commons this afternoon with some *éclat*. Pending the termination of the debate on the Crosshill Bill, it reposed in state upon the front Opposition Bench, affording a comfortable support to the reclining and distinguished forms of the Marquis of Hartington and Dr. Lyon Playfair. When the members filed out for the division its huge bulk attracted much attention, and Dr. Playfair, as its temporary guardian, seemed proud to answer any questions as to his charge. When the opportunity for presenting it arrived, it was seen how judicious Mr. Rathbone had been to get it placed beforehand so near the table. Having announced to the House its importance, the hon. member descended to the floor from his seat on the third bench, and, raising the petition with an effort, he succeeded in lodging it on the table, amidst loud cheers. A stately messenger then approached, and taking possession of the tremendous roll by grasping the stout stick on which it was wound, he bore it with dignity out of the House for the due inspection of Sir Charles Forster and his Committee. Besides this impressive contribution, formidable petitions, also in favour of the Permissive Bill, were brought up—one by Dr. Cameron, from Glasgow, with nearly 30,000 signatures, and another from Aberdeen, signed by over 10,000 people, presented by Mr. Leith. None of them could bear comparison, however, with the petition from the 76,647 inhabitants of Liverpool."

Congregations, Templar Lodges, Workshops, and Associations added largely to represent the interest felt in Liverpool on the question, and in the neighbourhood of the town a hearty co-operation was sustained ; and the list of petitions sent up, chiefly through our office, will show to some extent the work in which your Executive were involved and how it was done.

PETITIONS IN FAVOR OF SIR WILFRID LAWSON'S BILL  
FROM LIVERPOOL AND ITS NEIGHBOURHOOD.

Hope of Kensington Lodge I.O.G.T. ...	...	Signatures	3
Light of Everton	„ ...	...	3
Elizabeth	„ ...	...	3
Onward	„ ...	...	3
Hope of the Empire	„ ...	...	3
Everton United	„ ...	...	3
Liver	„ ...	...	3
Shining Light	„ ...	...	3
Liverpool United	„ ...	...	3
Wavertree Vale	„ ...	...	2
Mersey Enterprise	„ ...	...	3
Templars' Pride	„ ...	...	3
Burlington Good Intent	„ ...	...	3
Rescue	„ ...	...	3
Peace and Unity	„ ...	...	3
Wesley	„ ...	...	2
Perseverance	„ ...	...	3
The Rose (Bootle)	„ ...	...	3
Standard	„ ...	...	3
Good Samaritan Lodge I.O.G.T., Bootle	...	...	3
Cambrian	„ „ ...	...	3
Bootle Rescue	„ „ ...	...	3
Mersey Lifeboat	„ „ ...	...	3
Guiding Star	„ „ ...	...	3
Bootle Crusade	„ „ ...	...	3
Hope of Bootle	„ „ ...	...	3
Offspring of Hope	„ „ ...	...	3
Rainhill and Whiston Lifeboat Lodge I.O.G.T. ...	...	...	3
Crown	„ ...	...	4
Toxteth	„ ...	...	3
Excelsior	„ ...	...	3
Liverpool Pentecost	„ ...	...	4
Caradoc	„ ...	...	3
Hope of Kirkdale	„ ...	...	3
Bethel	„ ...	...	3
Liverpool Good Samaritan	„ ...	...	3
Pembroke	„ ...	...	3
Hand-in-Hand	„ ...	...	3
William Mackenzie	„ ...	...	3
Brother Jonathan	„ ...	...	4
Domestic Peace	„ ...	...	3
St. Mary's Excelsior	„ ...	...	3
Liverpool Mission	„ ...	...	3
Star of the East (Woolton)	„ ...	...	3
Everton	„ ...	...	3
Chadwick Mount	„ ...	...	3
Liverpool Ever Faithful	„ ...	...	2
Ebenezer	„ ...	...	2
Noah's Ark	„ ...	...	3
Hope of Windsor	„ ...	...	3
Celtic	„ ...	...	3
Progress of Waterloo	„ ...	...	2



Golden Link Lodge I.O.G.T.	...	...	Signatures	3
Raffles' Memorial	„	...	...	3
Lily	„	...	...	3
Prince Llewellyn	„	...	...	3
Pioneer Degree Temple I.O.G.T.	...	...	...	12
Home of the Faithful Degree Temple I.O.G.T.	...	...	...	4
Temple of Unity	„	„	...	2
East Liverpool Local Convention I.O.G.T.	...	...	...	1
Star of Hope Lodge U.T.O.	...	...	...	1
Star Tent of Rechabites	...	...	...	1
Zion	„	...	...	3
Independent Order of Rechabites	...	...	...	3
Congregation of Primitive Methodists, Boundary Street	...	...	...	1
„ Wesleyan Chapel, Upper Stanhope Street	...	...	...	247
„ Soho Street Baptist Chapel	...	...	...	96
„ Grange Wesleyan Chapel, Mill Street	...	...	...	135
„ St. John's Wesleyan Chapel	...	...	...	91
„ Church of Christ, Thirlmere Road	...	...	...	75
„ Wesleyan Chapel, Garston	...	...	...	49
„ Christ Church, Windsor Street	...	...	...	26
„ United Methodist Free Church	...	...	...	408
St. Paul's Temperance Society	...	...	...	2
Ladies' Society	...	...	...	13
St. Philip's Temperance Society, Litherland	...	...	...	1
Wesleyan Band of Hope, Windsor Street	...	...	...	3
Executive Committee, Wesleyan Band of Hope, Wavertree	...	...	...	3
North Bethel Temperance Society	...	...	...	3
Bond Street Mission	...	...	...	1
Sunday School Teachers, P.M.C., Boundary Street	...	...	...	36
„ „ Grange Wesleyan Chapel	...	...	...	49
„ „ St. John's	...	„	...	26
„ „ Luke Street Sunday School	...	...	...	10
„ „ Windsor Street Sunday School	...	...	...	50
Liverpool Permissive Bill Association Committee	...	...	...	3
„ Industrial Certified Ragged School	...	...	...	15
„ Friends' Institute	...	...	...	31
„ Home for Fallen Women	...	...	...	36
Public Meeting, Bootle	...	...	...	1
„ Earlstown	...	...	...	1
„ Walton	...	...	...	1
„ of Catholic League (Father Nugent presiding)	...	...	...	1
„ at Clare Hall, Clare Street	...	...	...	1
„ Albert Hall, Virgil Street	...	...	...	1
„ Custom House	...	...	...	1
Employés—Tyerman's Printing Establishment	...	...	...	27
„ Liverpool Rubber Co.	...	...	...	79
„ Marsden & Saffrey, Bolt Manufacturers	...	...	...	52
„ Irving, Son and Jones, Rice Mills	...	...	...	49
Inhabitants of Liverpool	...	...	...	76,647
„ Birkenhead	...	...	...	2,077
„ Wallasey	...	...	...	1,499
„ Waterloo	...	...	...	495
„ Prescott	...	...	...	605
„ Seaforth	...	...	...	190
„ Great Crosby	...	...	...	103

Inhabitants of Bootle	...	...	...	Signatures	2,937
„ Garston	...	...	...	...	807
„ Woolton	...	...	...	...	477
„ Rainhill	...	...	...	...	300
„ Walton	...	...	...	...	51
From Clergymen and Ministers of all denominations in					
Liverpool	...	...	...	...	87

The petitions with two or three signatures represent in most cases large bodies of individuals, whose officers only signed.

### THE PERMISSIVE BILL

On Wednesday, June 16th, Sir Wilfrid Lawson's Bill came on for second reading, when Mr. Wheelhouse, M.P. for Leeds, moved its rejection. The speakers against the Bill were Mr. Goldsmid, member for Rochester, Mr. Roebuck (Sheffield), Mr. Alderman Cotton (London), Mr. Knatchbull-Hugesson (Sandwich), Sir H. Selwyn Ibbetson (under Sec. of State), and Mr. Macdonald (Stafford); while the Bill was most powerfully supported by Sir Wilfrid Lawson, Mr. Carter (Leeds), Mr. Sullivan (Louth), and Mr. Burt (Morpeth). The result of the division was a source of encouragement, for in spite of the many adverse influences at work, the number who went into the lobby with Sir Wilfrid Lawson was 11 more than last year, being 86 instead of 75. Our opponents, aided by a strenuous Government whip, mustered in all their strength, and it is probable they will never again be able to show such a large number voting against the Bill.

The earnestness and good humour of Sir Wilfrid Lawson, and the speeches of the other supporters of the Bill, contrasted most favorably with the wild and extravagant declamations of his opponents, whose arguments for the most part showed profound ignorance of the Permissive Bill and of the support it receives among the masses of the people.

The objections were so wide of the mark that it would be an insult to common sense to attempt to answer them, and the best arguments in favour of the Bill will be found in the style of reasoning adopted by its opponents:—

Mr. Roebuck said that if the Permissive Bill were passed, it would create a “hell upon earth.” In Liverpool we have a

state of things akin to this already, which we believe the passing of the Permissive Bill would entirely reverse.

We are mostly concerned, however, with the attitude of our own representatives in Liverpool and the neighbourhood on this all-important question, and the fact cannot be too widely known among the Electors, that no vote in favour of giving the people the power to control the Liquor Traffic was given from this District, the Members for the Boroughs of Liverpool and Birkenhead, and for South-West Lancashire, either voting against the Bill or not voting at all.

Lord Sandon, our senior Member, and a Member of the Government, said that "if the Permissive Bill were passed, we should require an addition to our standing army to keep down the riots that would ensue." His Lordship further expressed his opinion "that in the event of the Bill being carried out, drunkenness would be increased."

We are curious to know the grounds of his Lordship's apprehensions.

The report of the debate was most extensively used by the papers throughout London and the provinces, and this in itself is evidence of growing importance. Most of the papers commented editorially on the subject. We cull a few notes:—

"We may regret the fact that so considerable a minority should have accepted the notion of prohibition, but we can do no good by refusing to recognise it, and we may come to harm if we obstinately remain under a false impression on the subject. \* \* \* The working man sees his fellow-workman ruined by drink, and knows he can do without it himself, and so essays to save his workmate from temptation. The motive is honest, and the efforts it inspires will certainly grow in strength."—*Times*.

"The Permissive Bill is superior to defeat and to political reaction. There is no killing it. \* \* \* We have often read that the heart is out of the agitation, and that it is now supported by a small interested clique. But if this be so, the corpse is a lively one, and walks out of its grave, and the noise of the few is loud enough indeed to be mistaken for that of a multitude."—*Echo*.

"The Permissive Bill is not merely a bill to be kicked out—it brings before Parliament and the country in a prominent manner every year the fact that there is among the trades carried on in this country one, sanctioned by the Legislature indeed, but answerable for a very large proportion of the crimes, madness, misery, and pauperism, which afflicts the most drunken nation on the face of the earth. The annual reappearance of the Permissive Bill raises into public notice a great moral and social question, and forces a multitude of our representatives who would be well content not to be challenged, to show themselves."—*Birmingham Morning News*.



“The Permissive Bill seeks to confer, in the public interest, on the ratepayers of inhabited districts the same power to be exercised by a public vote as is now enjoyed by territorial landlords, with this difference, that in one case the decision is the result of the exercise of an arbitrary will, in the other the matter is to be determined by a majority vote of two-thirds.”—*Commercial World*.

## LICENSING LAWS.

### EXTENSION OF PREMISES—TRANSFERS—RENEWALS— APPEALS, ETC.

In the Licensing Court, on August 24th, Messrs. T. S. Raffles, C. Aspinall, G. Melly, J. Patterson, E. Banner, J. A. Picton, and E. Lawrence, sat as the Licensing Committee.

Mr. Patterson, in a short speech, called the attention of the Bench to a most important point. He said:—

“I have got to make a personal explanation. In addressing you yesterday in the adjoining room it was my duty to move the adoption of a report in which for the most part I entirely concur, but from which in one particular I was obliged to express some slight dissent. I make the observations I do now because that seems to have escaped the attention of the reporters. It is on the matter of the plurality of licenses. I then said that I fully concurred in the judgment of the committee that such persons as are managers of houses owned by large proprietors should be dealt with as they professed to be, namely, the *bona fide* tenants, but I added to that that I was prepared to ask the committee, and I did ask them, that (in my judgment) whilst no strict scrutiny should be made for the present, or perhaps for twelve months from the adoption of the report—as to the status of the applicants’ transferees, it should hereafter be the rule, as elsewhere prevails, that no man should be allowed to hold a license who is not the licensee of the premises or the legal tenant. That rule I quoted as prevailing elsewhere and as being approved by Mr. Childs, Secretary of the Licensed Victuallers’ Association, and it appeared to me that it would have been a wholesome one to have adopted here. At the same time, as I then observed, I was not prepared to ask the magistrates to differ from the conclusions of the committee over which I had presided. I now express the opinion, and I express it in the hope that it may go forth to the public.”

A memorial from our Association was presented to the magistrates by Mr. Matheson. Others were also presented by the Rev. R. H. Lundie, W. Crosfield, jun., Esq., and Mr. J. Thomas.

The following reports were submitted by the Inspectors:—

#### North Division—

Public-houses, open	...	...	...	...	992
„ closed	...	...	...	...	9
				—	1001
Beer-houses, open...	...	...	...	...	167
„ closed	...	...	...	...	13
				—	180
Grocers wholesale dealers, and wine dealers	...				42
				—	1223

## South Division—

Public-houses, open	...	...	...	...	910	
„ closed	...	...	...	...	10	
					<hr/>	920
Beer-houses, open...	...	...	...	...	155	
„ closed	...	...	...	...	3	
					<hr/>	158
Grocers, wholesale dealers, and wine dealers	...				62	
					<hr/>	1140
						<hr/>
						2363

On the 29th September the number of Licensed Houses was as follows :—

## North Division—

Public-houses, open	...	...	...	...	989	
„ closed	...	...	...	...	12	
					<hr/>	1001
Beer-houses, open...	...	...	...	...	171	
„ closed	...	...	...	...	10	
					<hr/>	181

## South Division—

Public-houses, open	...	...	...	...	912	
„ closed	...	...	...	...	8	
					<hr/>	920
Beer-houses, open...	...	...	...	...	153	
„ closed	...	...	...	...	4	
					<hr/>	157
North and South Divisions—Grocers Licensed					}	100
for Selling Spirits, Beer, etc., off the Premises						
					<hr/>	2359

These figures are taken from Major Greig's annual report.

## EXTENSION OF PREMISES.

Mr. Little, barrister, on behalf of the Association, opposed the renewal of licenses to several altered premises, and said—

“There is one matter to which I wish to draw your attention, namely, the difficulty in regard to taking objections where premises have been extended so recently that we have not received information early enough to oppose the applications for renewals to-day. The Bench, however, have the power to take those objections when the applications are brought before them and adjourn the cases for seven days, in order to give the applicant sufficient time to make out a case. I have handed to Mr Anderton a list of houses to which, we have reason to believe, additions have recently been made without your Worships' permission; some will be opposed, but with respect to others, the information as to the extension has reached us so recently that we are unable to oppose them.

Mr. Anderton: Some one should watch these cases as they are called over. The usual arrangement is to call over the names of the streets alphabetically, and someone should watch them.

Mr. Little: The Bench has power to take the objection itself, but we have not the power to do it. You can adjourn the cases for seven days.

The Chairman: It is impossible:



Mr. Anderton : If we had had the usual notice—

Mr. Bremner : I submit that your Worships will determine the objections as each individual case arises. I don't know but that I may appear for some of them.

Mr. Lawrence : The point, Mr. Bremner, is, that they are not in alphabetical rotation—they cannot tell.

Mr. Whitley : I think it is only right in the consideration of this question that we should bear in mind the action of the Bench, caused indeed, by the Act of Parliament. I recollect when the new Act came into operation there was a clause by which it was provided that licenses would not be granted unless the premises were made up to a certain assessment; and I recollect we called the particular attention of the licensed victuallers of this Borough to the fact that unless their premises were brought up to a certain assessment, their licenses would be refused. Now, it may be, that having been given an inch they have taken an ell. But still the warning was given. We gave warning to the licensed victuallers, which may have caused some of the extensions which are brought before us.

Mr. Bremner : The 46th section states (he then quoted from that section, which states)—“That, whereas in certain cases, a license under the Wine and Beerhouse Acts, 1869 and 1870, is not to be granted unless the premises are of a certain rent, and rated to the poor on an annual value therein specified, it shall be enacted that a license under those Acts shall not be granted unless the premises are, in the opinion of the Justices, of such value.”

Mr. Crosfield : I think that is a very different matter from the question before us.

Mr. Whitley : I think it is only right that each individual case should be brought before us.

Mr. Crosfield : I think the extension from one street to another is a different matter, and I intend to move that as each case comes up, the inspector should state if the premises have been extended from one street to another—making practically two licenses—and that the case should be adjourned for a week.

Mr. Melly : I beg to second those observations. I think that those publicans who have or have not infringed the law should have at least a clear week in which to get information and have their premises measured, because it will become a very nice question whether the premises have been legally or illegally extended. That is hardly a question which can be dealt with now by a Bench who are sitting to deal with some two thousand licenses, and while the Bench are merely kept waiting to hand out the licenses as a matter of form. I say it is a new question, and if it arises to-day the inspectors may have been very lax in their duty in not having called our attention to each license as it is renewed. Each decision should now be arrived at on one or two cases which will guide the action of the Bench in the coming year, and at the Transfer Sessions during the coming year, and, also, notice should be given to the trade that no illegal extension will be allowed, so that it is for them to take care that there is no illegal extension.

Mr. Bremner : I am sure Mr. Melly will allow me to say this, that it is not a question of illegal extension. It is a legal question which has been before the Queen's Bench and decided. In the case of the ‘Queen v. Smith,’ which was before the Court of Queen's Bench in the year 1866, the Court decided that there was no objection to a publican extending his premises. I can only refer your Worships to the North-Western and the Adelphi Hotels, which began in a very small way. The Adelphi Hotel began in the centre of the present site, and extended its wings, whilst the North-Western Hotel started from a refreshment room at the station. It is not a question of illegality; it is a question which has been decided.

The Chairman : We had better not discuss that question.

Mr. Bremner : I shall ask your Worships in any case in which I appear, if the applicant has not done anything illegal, to grant him his license. If he has done anything illegal, your Worships can adjourn the application for a week.

Mr. Patterson: We are now upon the question of procedure; not upon the question of principle. The suggestion of Mr. Melly is that these cases should stand over for a week. I think that meets the general opinion of the Bench. The question is to present the matter in the most convenient form. It perhaps will be most convenient to Mr. Bremner and others if the list of names should be read over. I think that the feeling of the Bench is that while no slur necessarily attaches to a man for inquiries being made, time must be given for inquiries, and that it would obviously be inconvenient, at this stage, to settle the question of legal or illegal extension.

Mr. Little: I think that at present you are not proposing to raise the question.

Mr. Patterson: The only question before the Bench is—Have we the power to adjourn the consideration of these cases for a week? And Mr. Anderton will tell us.

Mr. Anderton: Certainly you have.

The Chairman: Is it the pleasure of the Bench in all these cases where extensions have been made that the cases should stand over for a week?

Mr. Lawrence: I think each case should be taken as it arises.

Mr. Melly: I would venture to suggest that it is contrary to the custom of this Bench to go into this matter without giving those who are attacked an opportunity of making a defence, and—what is still more contrary to the custom—until our inspectors have gone there, and been able on oath to give a report. Else we shall find that these gentlemen will bring some evidence, and Mr. Bremner will bring other evidence, and we shall be without the information we require.

Mr. Little: That is the provision of the statute. It says that the Justices may adjourn the granting of any license to a future day, and require the attendance of the applicant. It is to that provision I wish to draw attention to-day, in order to give all fair play to the publican who is attacked.

Mr. Whitley: From my experience, it is the first time we are called upon to take such action with regard to a whole class of cases, and to call the attention of the licensed victuallers to the terms of the Act. It is within the province of the Bench to lay down a rule for the future; but certainly to lay down a rule which has never been laid down before, and to punish people for not complying with that rule, seems to me to be going beyond what we have done on former occasions. I think the time is as each individual case comes forward.

Mr. Melly: The question whether it is our own action is exactly one of those questions to be decided in this Court. And is it desirable that we should try it when the person has not had time to put in his pleas and bring his plans; and further, when we have not had time to inquire of our own officers?

Mr. Crosfield: Perhaps Mr. Whitley will allow me to remind him that the Magistrates would by that means be kept here for two or three days, whereas, next week they might come and be able to deal with the cases in much smaller numbers.

Mr. Anderton: The inspectors have visited the houses within the last three months, and no doubt they have reported,

Inspector Rogerson: I recollect some three years ago we reported on each house, and the Bench would not listen to it. Mr. Melly was then on the bench. (Laughter.)

It was then decided by seven to six votes that the cases should be taken as they arose."

After which the applications were considered, but ultimately the whole of the cases where alterations had been made were adjourned for a week, and on the adjournment the Chairman (Mr. E. Lawrence), being supported by Mr. E. Banner, Mr. E. Samuelson, Mr. G. Melly, Mr. J. Patterson, Mr. J. Roberts, Mr. E. Browne,



Alderman Bennett, Mr. James Whitty, Mr. H. H. Hornby, Mr. E. Whitley, Mr. A. B. Forwood, and Alderman J. G. Livingston, said—

“Before proceeding with the postponed licenses, I wish on behalf of the Bench to say that we think our action in reference to these postponements has been much misunderstood and misrepresented. The licenses have not been placed on the black list. It is impossible for Magistrates to visit every licensed house in the Borough, and it is often very difficult, without seeing the premises, to realise the nature of alterations that are reported. Such alterations may often be a great improvement; but, on the other hand, they may alter the character of the house in a way that the Bench would not knowingly sanction. It so happens that our attention was called specially to some of these alterations at the opening of the Session, and it was thought best to postpone the consideration of the renewal of the licenses in such cases, not with any idea of wholesale confiscation—not with any idea of acting unfairly toward those who may have believed that any alteration or addition made by them would receive magisterial sanction, but simply with a view of bringing prominently before us a practice which has grown up unheeded, or at least unchecked, in order that it might be fully considered in all its bearings, and that the attention of owners themselves might be specially called to it, and to any expression of opinion, or to any regulation which the Bench might offer or make in respect to it. We are now prepared to consider these applications for renewals *seriatim*; but whilst most probably we are not going to withhold any licenses on the ground of alterations which owners may suppose to have been sanctioned, either directly by past renewal, or indirectly by non-interference with alterations now in progress, it may be necessary to say a word or two in some cases where not only the condition of things is such as we deem objectionable, but where we think it may be possible that the law is being actually infringed. We should, therefore, scrupulously avoid doing anything which might compromise us in reference to any action that may hereafter be taken in such cases, either by the police, or by anyone else who may have a right to take proceedings. After the applications are gone through, I will submit to the Bench a rule for our guidance in these matters for the future, and trust it will meet with the unanimous approval of all present.”

The case of Edward Llewellyn, 1, Alice-street, and 86 and 88, Paddington, was first called, and objection was taken to the renewal of the license on the ground that there had been an extension by taking in a shop within the last twelve months. Mr. Bremner appeared for the applicant.

Mr. Little said he objected to the renewal, on the ground that during the past twelve months applicant had broken the law in a signal manner—that there had been an act of fraud on the licensing laws; he had added a complete house to the premises, and he had during the past year been selling upon that portion of the premises which was not licensed.

Inspector Rogerson was called by Mr. Little, and said that there was an internal communication between the premises in Alice-street and the premises in Paddington. It formed all one bar.

J. S. Hughes, a clerk of the Permissive Bill Association, proved that he had seen the sale of drink going on in both Alice-street and Paddington.

Mr. Little submitted that there had been, under these circumstances, a breach of 35 and 36 Vic. which said that no person should sell, or expose for sale by retail, any liquors at any place where he was not authorised by his license to sell the same. There was also a breach of the 9th section of the same act, which said that any person making an internal communication between any licensed premises and unlicensed premises used for public entertainment or resort should be liable to a penalty of £10 for every day during which they remained open.

Mr. Bremner submitted that it was ruled in the *Queen v. Smith* that the enlargement of the premises did not vitiate the license.

Mr. G. Melly held that the *Queen v. Smith* had nothing to do with the case.

After a legal argument on this point,

The Chairman said he did not wish to stop the argument on either side, and he did not know whether the Bench would agree with him in what he was going to say, but he thought they were not sitting in judgment upon the legal part of the question; that was to say, whether the applicant had sold without a license or not. That was not for the Bench then to pronounce upon. The question whether the house was the same house was so surrounded with difficulties that it would be utterly impossible for the Bench to consider it. They were a court there to consider whether the license should be renewed to No. 1, Alice-street. His own feeling was that the license should be renewed to No. 1, Alice-street, and Mr. Llewellyn must take the consequence of selling in premises which might not come within the tenure of the license. Nothing which the Bench did that day would commit them. He therefore asked if it was the pleasure of the Bench to renew the license.

There was a unanimous answer of "Yes" from the magistrates. License renewed.

John Steadman, Blundell-street, applied for a renewal of his license.

Inspector Rogerson said there had been an extension of frontage, and there were three additional doors.

The Chairman said the owner of the premises for which a license was sought had purchased a piece of land at the end of the house. Upon that he had built additional premises, which he called an enlargement of the old premises.

Mr. Little submitted that they had a right to inquire into the way in which the man had conducted his business during the past year.

Mr. Samuelson remarked that there was no conviction.

The Chairman said this case was analogous to the last, except so far that instead of taking an existing house a new house had been added. He would say to the Bench, 'Grant this license for the premises for which it was asked in Blundell-street, and the owner must take the responsibility of selling in new property.'

Mr. Little said if they granted the license to the old house, knowing the alteration had been made, it might be considered that they condoned the alteration.

Mr. Banner.—We condone nothing. We grant the license to the premises originally licensed. We state distinctly if the parties choose to sell in further premises they must take the responsibility.

Mr. Bremner.—My friend (Mr. Little) wishes to drive you into issuing an information.

Mr. W. Crosfield thought there was something in what Mr. Little said. It might be said they confirmed the alteration.

The Chairman.—We license the house originally licensed.

License renewed.

Another suspended license was that of Edward Edwards, No. 1, Boundary-place. The premises had been extended in Boundary-place by taking in the adjoining house, giving additional frontage to Boundary-place of five yards.

License renewed.

With reference to the renewal of the license to the American bowling alley, 4A, Deane-street, which had been suspended because a door had been opened to the alley from Cases-street,

Mr. Bremner said when the late Mr. Holme purchased these premises he obtained from the Corporation permission to erect a passage across Back Market-street, which connected the premises in Deane-street with the premises in Cases-street. So long as that resolution remained unrescinded they became practically one premises. The Corporation had given notice to Mr.



Holme's trustees to take down that communication, which notice would expire six months from 21st May—namely, on the 21st November. The license would expire on the 10th October. Applicant could not, therefore, sell in the premises in Cases-street beyond that date. When the notice expired the premises in Cases-street would cease.

License renewed.

The license of F. Cooper, 7, Great Charlotte-street, had been suspended in consequence of an alteration in the premises. A shop in Old Haymarket had been added within the last few months, giving additional frontage. The tenant had cut off a small portion of the premises and made a shop.

License renewed on the same condition as the others.

Mr. J. G. Livingston.—What are the conditions?

The Chairman.—They have been stated twice over. The license is granted, and if the parties wish to sell in adjoining premises, we don't pass any opinion.

Mr. J. G. Livingston.—That is surplusage.

The Chairman.—It may be.

Thos. Gray, 7, Hague-street, applied for a renewal which had been suspended. The inspector said there had been an extension by taking in two cottages—an extension of 32 feet.

License renewed.

The licenses of Thomas Nelson Broadhurst, Upper Harrington-street, and Mary Bowerbank, Upper Harrington-street, were granted.

John Berry, North John-street, was the next applicant. It was stated that these premises had been extended into Harrington-street, but there were no additional doors. The chairman suggested that the magistrates should retire. Mr. Samuelson did not see why the case should be disposed of out of court. Mr. Bennett urged that as there was a large bench, it would be more convenient for them to retire before coming to a decision. It was decided to consult in private, and on returning into court the chairman said they had decided to renew the license for the same premises that had been licensed during the previous year, and if the licensee carries on business in the part which has been extended he will do so on his own responsibility. The chairman added that he was directed to convey the opinion of the magistrates that it was a most unsatisfactory place.

In the case of Richard Haines, 67, Islington, Mr. Bremner supported the application. In answer to the bench, the inspector stated that the alterations which had been made were an improvement to the premises. Granted.

Mr. Bartlett appeared on behalf of John Hind, 53, Lime-street, who had made certain alterations by taking in an additional shop, and observed that three rooms had been converted into one of the best and most complete restaurants that could be found. Inspector Rogerson: It is about the best finished place I have seen in Liverpool. Mr. Bartlett: I should like to hand the bench the bill of fare. (Laughter.) Mr. Bremner: He should have done that before luncheon time. The license was renewed.

Mr. Patterson objected to the application of Mr. Bremner for the renewal of the license to Edwin Henry Dixon, Imperial Hotel, Lime-street, on the ground that the house had not been kept strictly for hotel purposes, that a door had been broken into the Queen's Arcade, and that a portion of the premises had been turned into a monster drinking bar. Mr. Bremner denied that it had been turned into a monster drinking bar, and he also stated that there had been no opening of a door, because the door was there before. The license was granted.

Licenses were renewed to Patrick Collins, 5, Mersey-street; Henry Dunbar, 71, Paradise-street; and Robert Williams, Prison-weint.

The next application was by Mr. Ballard, of the Stork Hotel, Queen-square. In this case it was stated that the premises had been extended by taking in an adjoining shop and opening a door at the corner of Queen-square and Great

Charlotte-street. The chairman remarked that the alterations were made seven years ago, and there being no opposition, the license was renewed.

There was considerable discussion upon the application for the renewal of the license to the house 16, Whitechapel, occupied by Joseph Lawton. It was stated that the Corporation had taken some land for improvements, and that Mr. Rigby had purchased the property. Mr. Bremner (who supported the application) argued that there had been no real extension at all. Mr. Livingston asked whether Whitechapel was improved or not by the alterations. Inspector Rogerson : Yes, sir, very much. Mr. Patterson observed that it appeared to him that the town paid for public improvements, and that public-houses were started afterwards. Mr. Bremner denied that a single sixpence had been paid in this instance by the Corporation towards the improvement. Mr. Samuelson remarked that it was not an extension, because between the Corporation and Mr. Rigby it was give and take. A portion of the property at the corner of Leigh-street and Whitechapel was pulled down, according to Act of Parliament, for widening that street. The license was removed at that time, and the other portion, which was very small, was added to the portion that remained. Since that time the Corporation had come to an agreement, which had been carried out between themselves and Mr. Rigby, that he (Mr. Rigby) should give up a further frontage in consideration of their giving him a small strip of land. In reply to a question, Inspector Rogerson said the alterations were made about eight months ago. The Chairman asked if Mr. Rigby was supposed to be selling upon property not included in the terms of the license granted last year. Mr. Melly contended that he was ; but Mr. Bremner denied that it was so, observing that Mr. Rigby was now selling upon a less area than he was some time ago. The license was renewed upon the same conditions as the others.

### MANAGERS AND LANDLORDS.

The first case of importance on the 'black list' was an application for the renewal of a license to Thomas Henry Shipton to premises in Bickerstaffe-street. The former holder of the license was William Thomas Rigby, who had been once fined for selling after hours in an assembly-room for which a special license had been granted ; and recently fined £5 and costs, with endorsement of license, for permitting drunkenness by selling liquor to the man Fox, who murdered his wife in Jenkinson-street.

Mr. Bremner, who supported the application for renewal, said the offence of permitting drunkenness would, but for the unfortunate result which followed, have been considered an ordinary offence, and defendant would have come off with a reproof and have had his license. Mr. Rigby was not now in possession of the premises, and it came before them as a house to have the license renewed to a new tenant of good character. He submitted that they could not deprive the premises of a license, because there had not been three convictions against them, which was the number required. If W. T. Rigby came before them, they would consider he was not a fit and proper person to be entrusted with a license, but they could not take away the license from the premises, because to take away the license from premises must be upon the third conviction, after two recorded convictions ; and there were not even two recorded convictions—there was only one. The conviction was a personal conviction, not attaching to the premises, because the offence did not occur on the premises. It was the duty of the magistrates to see that fit and proper persons got into premises, but not to take away the rights of property, except according to law. It was not W. T. Rigby who was before them. If it were, they would deal with him according to law. It was Thomas Henry Shipton who was before them, the owner of the premises having got rid



of Rigby. Shipton now applied for a renewal of the license to the premises, which, he (Mr. Bremner) submitted, they had not the power to disqualify.

Mr. J. Patterson said he would like to hear the inspector describe to them the house, its character, and accommodation.

Inspector Gardner said the house itself was in a little street near Richmond-row Inn. The house had a license 14 or 15 years ago. It was a low neighbourhood, and those who did frequent the place did so for the purpose of drinking. They were working people, and a great many very rough people.

Mr. Bremner.—About the character of Shipton?

Inspector Gardner.—Shipton, the present applicant, has been in two public-houses in Liverpool, one in West Derby-road, and the other in Walton-road. There is nothing against the two houses where he was.

By Mr. Patterson.—There is a bar and a sitting-room for the use of the public.

Mr. Patterson.—What frontage has it?

Inspector Gardner.—About 18 feet.

Mr. Bremner remarked as to the house being in a low neighbourhood the bench had, on the previous day, declined to remove one out of a low neighbourhood.

Mr. Banner said Mr. Bremner argued as if the magistrates, in refusing to renew the license, were disqualifying the premises. They were not.

Mr. Bremner said if they did not grant the license they were disqualifying the premises.

Mr. Banner.—No, we are not. If we refuse the license, the man might apply at the next transfer sessions for a transfer.

Mr. Anderton (magistrates' clerk).—The license would then have expired.

Mr. Bremner.—Yes, before next transfer sessions the license will have expired. The justices would then refuse, and say that he was asking for a new license to the premises, because they had not granted the old one; therefore he would be out of court.

Mr. George Melly regretted that they had not an advocate. What had been said about disqualification was a pure mystification; and as Mr. Bremner understood that subject he must say it had been a mystification which had not been without its intention.

Mr. Crosby was called, and said he was the lessee of the premises at £60 a-year.

Mr. Patterson.—How are they rated for the poor-rate?

Mr. Crosby.—I cannot tell you.

The applicant (Shipton) was also called, and in reply to Mr. Patterson said he could not tell what the premises were rated at for the poor-rate.

Mr. Patterson.—I don't think you will get a license till you do tell us. I hope this bench will not grant the license. We are being mystified and humbugged.

Mr. Bremner.—The rating has nothing to do with it; I can show you that.

Mr. E. Whitley said that under the provisions of the act it was quite clear, although they might refuse licenses in an arbitrary manner, yet they must give some reasons, and if those reasons were not satisfactory no doubt appeals would be granted and be successful. With regard to premises being disqualified from holding a license after the third conviction, he could not see anything wrong in the argument which the learned advocate had brought before them. To his mind it was obvious what would be the effect of refusing that license. It was all very well to say that they might come again for another license, but with the knowledge they had, it was quite clear no new licenses would be granted. The Act of Parliament said upon the third conviction the premises were absolutely disqualified from holding a license. With regard to the case before them, they saw that there had been only one conviction endorsed, and

they must be prepared to say that the general character of the house was such as they could not grant a license. On the part of the bench, he thought they would stultify themselves, and place themselves in a false position if they refused a license except upon the ground on which they had a right to refuse. He was satisfied, if the bench exercised arbitrary powers, there was a place in which they would be set right. He did not think the fact of a man having gone from licensed premises and committed a murder afterwards would be sufficient to induce them to refuse a license. He should ask, was the house properly and well conducted? It was quite clear under the provisions of the act it was contemplated that the refusal of a license should be upon three convictions recorded. He thought, therefore, that they would stultify themselves as administrators of the law, not makers of the law, if they made a case for themselves and refused the license. (Loud applause from the spectators, mostly publicans.)

Mr. Bremner, as to the rental question, said premises to be licensed in a town containing not less than 100,000 inhabitants must be £50 a year.

Mr. Patterson said it was a farce to come before them and say that the rental was £60 a year.

Mr. Bennett said he was under the impression that it was the rating which regulated the license, but he now saw he was mistaken. He quite endorsed the remarks of Mr. Whitley.

The Chairman.—Was Mr. Thomas Rigby the manager?

Mr. Crosby.—Yes, sir.

The Chairman.—And is the present man the manager?

Mr. Crosby.—Yes.

The Chairman said, in the evidence which they took before the committee, which had reference to licensing matters, certain gentlemen asked them to deal with the servant as with the owner, and not to consider him as in any way distinct. Now Mr. Bremner asked them to consider Mr. Rigby as no longer before them. If the evidence that was placed before them was worth reliance, if they were to act upon it, he could not see how on that occasion they were not to consider they had Mr. Rigby before them, and deal with the license as if Mr. Rigby was really applying for it for the owner.

Mr. A. B. Forwood agreed with Mr. Whitley in what he had said as to the number of convictions.

Mr. Patterson said in this case they were not to look entirely at the question of property as if they were dealing with an hotel. They had proof that they were dealing with a case in which the premises were used for no other purpose than that of drinking. The intention of the law evidently was that the proprietor of an hotel, who had rented it to his tenant should not be deprived of his property in that hotel because the tenant for the time being had misconducted himself. The Act of Parliament told them how they were to find the value of the premises. As important information that could so easily have been obtained had not been given them, namely, what amount the premises were rated at for the relief of the poor, he was for the license not being renewed.

Mr. Bremner.—They are rated at £40 per annum.

Mr. Patterson.—We are not dealing with a large and extensive property, but with a miserable little public-house in a low neighbourhood, resorted to by persons of bad character, and proved to be a hotbed of crime. We are about to have the town again disgraced by an execution, and are we to pass by the place where these crimes are hatched, and to be laughed at by this juggling substitute of one man for another? I support what has fallen from the chairman, and I shall support the motion that this license be not renewed.

Mr. Melly.—If it is less than £50 it cannot have a license.

Mr. Bremner.—They are old premises and that does not apply.

Alderman Bennett.—I shall vote for the renewal, but most unwillingly.



Alderman J. G. Livingston.—I should like to have our law-clerk's opinion on the point raised.

Mr. Anderton.—Rating only applies to new places. This being an old place it does not apply.

The Chairman then put the question whether the license should be renewed or not, when five voted for and eight against the renewal.

Mr. Bremner.—You will not be surprised to hear I will give you notice of appeal.

A voice from the Bench.—Not at all.

### CLOSED HOUSES.

Charles Turner applied for a renewal of a license for a public-house in Brownlow-hill. This house had been reported simply as closed, no fine being against the premises; and it was explained that the house had been temporarily shut up in consequence of a dispute between the lessees as to the fixtures; but it being now stated that the house was otherwise complete and would be re-opened in a month, the renewal was granted.

Susan S. Carpenter asked for a renewal of a license for premises in South Castle-street, which had been used as a refreshment-house.

Mr. Patterson said they granted licenses for the benefit of the public, but in such cases as these the owner kept the premises closed, at the same time preventing somebody else from getting a license.

The Chairman said the premises must not be closed more than twelve months, and the law reserved to the owner the right to apply within the twelve months at any of the Transfer Sessions.

Alderman Bennett.—Besides, in a case of this kind I think it a very proper rule, and enables the landlord to select a proper tenant instead of taking the first tenant that offers to him.

The application was withdrawn on the understanding that it should be renewed before the Transfer Sessions.

Josiah Hill Martin applied for a renewal of the license for premises occupied by Gertrude Brodie, in Crown-street. Mr. Bartlett, who appeared for the applicant, said the latter was in possession of the premises, which were being refurnished and repaired.

The Chairman said they had many such assurances of repairs being done, but immediately the license was granted, the hoarding was taken down and nothing done.

The applicant said the house would be open for sale in three weeks or a month.

This application was also withdrawn, and postponed to the Transfer Sessions.

### SUPPLYING DRINK TO AN INTOXICATED LANDLORD.

The application of Antonio Guichio for a renewal of the license for premises in Fairclough-lane had been put on the 'black list,' because the applicant two years ago was fined 40s and costs for keeping his premises open after prohibited hours, and on the 30th August was fined for permitting drunkenness, the last fine being recorded on the license.

Mr. Blackhurst, who appeared for the applicant, said in reference to the last fine that the owner of the premises had been in town arranging about the sale of the property, and afterwards went to the applicant's place, where he had some liquor, notwithstanding that he had already had sufficient. The police entered the premises at the time, and, finding the owner drunk, laid an information against the license.

Inspector Rogerson, in reply to the Bench, said the house was not in a rough neighbourhood. When spoken to, the tenant said that he did not like to deny the man having some more liquor, although he was drunk, because he was his landlord.

Mr. Patterson.—Who is the applicant to-day?

Mr. Blackhurst.—The present tenant. He remains in, because the bargain has gone off in consequence of the fine.

Mr. Samuelson.—Was the owner fined also?

Mr. Blackhurst.—Yes, 10s.

The Chairman.—It oeeurs to me he is not a fit person to hold a lieense.

Mr. Blackhurst.—The applieant is the person who holds the lieense.

Mr. Patterson.—And he serves his master with drink, knowing him to be drunk.

Mr. Blackhurst.—Not his master. He has nothing to do with the premises, execepting being the owner. The house is not attached to a brewery at all. It is a 'free house.'

Mr. Browne.—Then there is the less exeuse for serving him, if he be not the servant. Was not the defence when he was summoned before the magistrates that he did not like to refuse his master?

Mr. Anderton.—He said he did not like to refuse the man, he being his landlord.

Here a consultation took place between Mr. Whitley and the Chairman, when Mr. Melly suggested it would be as well if the Bench knew what was going on.

Mr. Patterson said the question they had to consider was if this man was a fit person to hold this license.

The Chairman asked Inspector Rogerson what charaeter the applicant had.

The Inspector reported that he had nothing to say against him beyond the two fines.

Alderman Livingston expressed an opinion that these offenees were not suffieiently venal to deprive him of his lieense.

The vote was then taken, when six voted in favour of the renewal of the license and two against—namely, Mr. Patterson and Mr. Browne. The Chairman and Mr. Melly did not vote.

#### THE RESPONSIBILITIES OF OWNERS.

Mrs. Susan Hardman, Parr-street, applied for a renewal of a beer lieense. She had been fined 20s. and eosts, and 60s. and eosts for Sunday trading, the latter fine being reeorded.

Mr. Samuelson said that in these cases where houses were held by brewers a word of eautio to them also would not be misplaced, and they had the means, or professed to have the means of keeping order in their houses.

The Chairman said the Bench would renew the license, but unless the applicant conducted the house in a proper manner hereafter she would find it a very serious matter.

#### AN INTERNAL COMMUNICATION.—WITHDRAWAL OF A LICENSE.

When the application of William R. Heywood for a renewal of his license for 13 and 15, Pembroke-street came on for hearing, a poliee report was read, from which it appeared there was an internal communication between the lieensed premises and the private house next door, by means of a covered passage. Inspector Rogerson had reported the matter, and the other day the applicant was fined 20s. and costs, the Bench at the time ordering the ease to be reported to the licensing magistrates.



Mr. Anderton said they found an information could not be laid under the Licensing Act, which provided that the communication must be between a licensed house and some place of public resort, and as this was a private house the information was laid under the Local Act.

Inspector Rogerson said their worships would not grant a license to the house if the application came before them for the first time, on account of this communication. In its present condition it was unfit for a license. By means of the covered passage between the two houses Sunday trading was carried on regularly; but it was impossible to get a conviction, in consequence of the communication being with a private house.

Mr. Patterson said there were two classes of cases in which they had an undoubted right to refuse a license apart from the matter of convictions, the one being the unfitness of the man and the other the unfitness of the house, and he held that this house was unfit for holding a license.

Mr. Whitley said they could hardly say that, as the house had been licensed for some years; but if the applicant used a private house along with this communication for the purposes of Sunday trading, it showed he was not a proper man to be licensed.

The Chairman.—I think both man and premises are unfit.

Mr. Bartlett said he understood the door had been nailed up and fastened securely ever since the conviction. All that had been proved against the applicant was the statement made by the inspector, and there being no convictions against the Licensing Act—the offence of which he was convicted was against the Local Act—he submitted they could not with justice and propriety refuse the renewal.

Two officers were here sworn and corroborated Inspector Rogerson as to the Sunday trading, and the impossibility there was of catching the applicant in the act, as when the police came the people made their escape into the private house.

Mr. Bartlett said the applicant would be willing to do all that the Bench or the inspector required in the matter.

The Chairman.—After the evidence given, I am satisfied the house is unfit to be a licensed house, and that the man is unfit to hold a license.

The applicant said he was sixty years of age, that there was not a stain upon his character, and named a numerous array of 'squires' to whom he could refer the Bench. He accused Inspector Rogerson of having an antipathy to him, and of having given him all sorts of abuse.

Inspector Rogerson said he was not in the habit of abusing anybody, and that he had warned the applicant what would be the result if he conducted the house as his predecessor had done.

The license was withdrawn.

## BACK DOORS.

A renewal was applied for premises in Pownall-square, of which John Chadwick was the last licensee. In this case there had been a fine endorsed on the license, and the application was on behalf of a new tenant. It was mentioned that there was a door leading from the back of the premises, and Mr. Bremner, whilst admitting that in the case of new premises with a similar door the Magistrates could refuse a license until the door was shut up, they could not make that a condition in the present case.

Mr. Patterson said this was one of a large number of cases in which he thought the Bench would yet have to come to some understanding before such licenses were granted. There were hundreds of these back doors that the officers would take exception to if they could do so effectually.

The renewal was granted.

## THE RECORDER'S ACTION IN APPEAL CASES.

Matthew Walsh, 111, Rathbone-street, applied for a renewal of his license, when it was stated that the applicant had been fined £5 and costs for permitting drunkenness, and that the fine had been endorsed on the license. On appeal to the Quarter Sessions, however, the Recorder had ordered the record to be taken off the license.

Mr. Patterson.—What is the character of the house?

Inspector Rogerson.—There is nothing against it beyond this.

Mr. Melly.—As that case has come before the court, I think this is, perhaps, a desirable opportunity for me to make one or two observations I wish to make with reference to a recent decision of the Recorder; and the object with which I make these observations is simply with the view to carry out the last words which fell from the Recorder in mitigating the punishment which had been inflicted by this bench in this case. The Recorder said it was extremely undesirable that new witnesses should be produced before him for the defence who had not been produced before this court, because, of course, the magistrates might have come to a very proper decision on the evidence before them, but that he came to a different conclusion in consequence of the new evidence. Therefore, I merely wish to take this public opportunity of drawing the attention of the bench to these observations, and express the hope that they will follow the course which I shall undoubtedly myself pursue in hearing these cases on Fridays. That is, to afford any licensed victualler against whom any information may be laid the very fullest opportunity of bringing before us all the witnesses whom he may wish to bring in his defence, and for that purpose we should offer to him an adjournment for a week, or even for a fortnight, so as to facilitate our having the most complete evidence for the defence which it was possible for him to procure, because I have reason to believe—I won't say I have reason to believe, but I think it may be possible—that a second charge is kept in reserve to be fired off before the Recorder, and it would perhaps be better that this bench should have all the information which is in the power either of the police or the defendants to produce. I do not wish to conclude with a motion, and I hope I have not overstepped the fair and proper limits in what I have said, but I wished to take this opportunity of drawing the attention of my brother magistrates publicly through the press, as well as those present, to the very great importance in the interests of justice to all parties that a licensed victualler who is summoned here on any allegation against him should have the fullest opportunities of making his whole and entire defence, for it is subversive to the interests of order and justice that it should appear to the public that the Recorder—a man of great ability and knowledge—should take a different view from that arrived at by this bench; and if this different view is taken upon different evidence, it is, I repeat, in the interests of order and justice that we should have all the evidence before us which is going to be laid before the Recorder.

The Chairman afterwards addressing the applicant said:—It is no part of my business to make any remarks on the decision of the Recorder. I believe the magistrates in the first instance acted wisely and properly, and all I have to say is that the magistrates are now prepared to renew your license, but you must be cautioned that unless the house be conducted in a proper manner it will be attended with very serious results to yourself.

The renewal was granted.

## THE RESULT OF THE VICTUALLERS' 'BLACK LIST.'

In dealing with the victuallers' 'black list,' those publicans against whom convictions were recorded or entered received their licenses with a caution. In no case was there more than one endorsement, and the only license withdrawn



was that formerly held by the man Heywood, who, it will be seen, however, had not been previously convicted of any offence against the licensing law, the cause which induced the bench to take away his license being that he was reported to have used an internal communication between his house and a private house for Sunday trading.

## DILAPIDATED PREMISES AND TRANSFERS OF LICENSES.

James Gardner, who on Tuesday last applied to have a license transferred from premises in Crooked lane to a new house in Tintern-street, Walton-road, Kirkdale (which was refused), now sought for a renewal of the license to the old premises in Crooked-lane. Mr. Bartlett supported the application.

Inspector Rogerson said the house had been closed for nearly two years. It was a very small house, the dimensions being about four yards by twenty.

Mr. Melly—What condition is it in ?

The Inspector replied that it was in a very rickety condition.

The Chairman asked if there were any windows in the house.

Inspector Rogerson replied that there were not. The windows had been knocked out, or had fallen out in some way.

The Chairman—Is it fit to live in ?

Inspector Rogerson—No, sir, it is not.

Mr. Bartlett complained that no notice had been given to the applicant that he would be opposed when he sought for a renewal of the license ; but, on the bench intimating that they were willing to grant an adjournment of the hearing, Mr. Bartlett withdrew his objection, and said the property, as he was instructed, had been in litigation for some time, and naturally it had been unoccupied, and, so to speak, it had 'gone to the dogs.' The children and mischievous persons in the neighbourhood had thrown stones at the windows, and, consequently, the outside of the place looked in a more dilapidated condition than the building really was. There was no doubt the property was of great value with the license attached to it, and the question for the bench was, would they take the property out of the hands of the man who held it ? The property, he did not hesitate to say, was that of Mr. Crosby, who had recently purchased it. It was proposed to take out the license in the name of James Gardner Martin, and it was the determination and the intention of Mr. Crosby to put the premises in proper repair. It certainly was the intention of Mr. Crosby to have removed the license to a more eligible place, but as the magistrates had refused the transfer, he now sought a renewal of the license to the old premises. If Mr. Crosby promised to put the premises in good repair and find a manager who would conduct the house respectably and with advantage to the neighbourhood, he (Mr. Bartlett) submitted it would be a hard thing if the bench, by a refusal to renew the license, swept away from him the money which he had paid out of his pocket for the premises.

Mr. Patterson said the house in question was situate in a locality which he believed most of the bench had visited more than once. At present it was shut, and no business whatever was carried on in it ; but if a license were renewed to it, it would be reopened, and there would be an extension of one of the greatest abuses that ever prevailed in a civilised community. The evidence the bench had before them was such as to indicate that no respectable business could be carried on on the premises. The houses in that neighbourhood were nightly filled with thieves and prostitutes, and with persons who consorted with such characters, and police inspection or police supervision was rendered almost impossible by combination, by concert, and by communication from house to house, as he himself had had ocular demonstration of. So far from being a party to the granting of that license, he thought he would only be doing right in taking that opportunity of stating that if the present state of

things in the neighbourhood of the Sailors' Home was continued, he would, if spared till the next licensing session, then ask the magistrates not to refuse one license, but forty or fifty, so as to stop the abominable state of things that went on in that neighbourhood nightly. He considered the house in question was at present unfit for a license ; and if it were rendered fit it would only add to the injury which was being done in the neighbourhood.

Mr. Samuelson regretted he could not agree with the decision of the bench, by which when the applicant sought to remove the license to another neighbourhood the permission was refused. Now, however, the applicant said he would rebuild the existing house and put it in proper repair. They had had a similar case in Union-street, and yet they did not know but what a block of buildings would not be converted into half-a-dozen public-houses instead of one—the whole basement might be flushed with beer ; and yet the magistrates granted a license in that case. He was sorry he was prevented taking part in the decision as to the Union-street case ; but, after seeing how other cases had been dealt with, he thought the bench would be acting the part of the dog in the manger if they refused the present application.

Mr. Livingston thought if there was no objection against the character of the house, or the character of the applicant, they had no grounds for refusing this reasonable application.

Mr. Melly said the house had been shut up for two years ; it did not bear the smallest appearance of being intended for re-opening, and it was in a condition that he did not think anybody would value it except for the colourable purpose of revivifying it with a view to obtaining a removal of the license next year.

Mr. Whitley could not help agreeing with Mr. Samuelson and Mr. Livingston that the recent Act of Parliament had put licensed public-houses in a difficult position. The owners of them had assumed—perhaps wrongly assumed—that the magistrates would readily grant the removal of licenses from one district to another ; but at the present licensing session the magistrates had refused all these removals. In this case they were told the owner of the property had been in litigation ; but why the bench should refuse to renew the original license if the landlord gave them a guarantee that he would put the premises in proper repair and find a suitable tenant, he could not understand. He quite sympathised with the remarks of Mr. Patterson, and no one felt more than he (Mr. Whitley) did the injury done by the licensed houses in the neighbourhood of the Sailors' Home, but that was no reason why they should deal unjustly towards the present applicant, who already held a license there. If there was to be wholesale confiscation of licenses in that neighbourhood, as foreshadowed by Mr. Patterson, that was a different thing, but why the license should be withheld from the present applicant he could not conceive.

Mr. Whitty agreed with Mr. Whitley, that while deploring the great multitude of public-houses about the Sailors' Home, they were scarcely in a position to amend the decisions come to in former years by the bench of magistrates.

Mr. Bennett pointed out that the house in question had been closed for two years, and they had no guarantee that at the next licensing session it would not still be closed.

Mr. Banner said it appeared to him that as the house had been closed for two years and no attempt had been made to re-open it until within the last seven days, there was clearly a colourable pretext set up in order to obtain a removal of the license. The determination to re-open the house was simply and solely in consequence of the refusal of the Bench to grant a removal of the license, and he should therefore vote against the application.

The Chairman said he agreed very much with Mr. Banner in the opinion that nobody could go and look at the property and come away with the idea that there had been any intention to put the place in order. The property



was worn out, no business was carried on, and none was ever likely to be carried on, and he could not see how he would be justified in consenting to a renewal of the license. At the same time (alluding to a remark made by Mr. Bartlett), he did not think it was fair that advocates should press upon the magistrates the value of a license which might be confiscated. It was quite true that the action of the Bench in Liverpool had immensely improved the value of publicans' licenses, and, therefore, if the publicans came to look at the matter in a pounds, shillings, and pence light, they would see that they were indebted to the Bench for that. Putting that aside, however, he repeated it was not right for advocates to complain of personal loss to clients when the Bench were doing their duty to the best of their ability.

On the vote being taken, the renewal was refused, there being three votes for and eight against.

Mr. Bartlett gave notice of appeal.

#### ALLEGED FRAUDS ON THE BENCH.—A 'SCENE' IN COURT.

Mr. Bremner applied for the renewal of a license held by Robert Ruddick in respect of premises, 17, Upper Frederick-street. On Tuesday the applicant sought to have the license transferred to premises in Lambeth-road, Kirkdale. The request was refused, hence the present application.

Mr. Bremner said the applicant was in possession of the premises, and was actually selling there.

In reply to the Bench, Inspector Rogerson said the house had been opened about six weeks, but for four years previous it had been closed. Last year, when application was made for renewal of the license, it was stated that the house was going to be rebuilt and put in proper condition, and on that ground the license was renewed. Some hoarding was put up at the time, but immediately after the license was renewed the hoarding was taken down and no alterations were made. At the last licensing session an architect was present who said the work of alteration was intended to be carried out.

In answer to Mr. Patterson, the witness said there were barrels on the premises now, but whether any sale was going on or not he could not say.

Mr. Melly.—Is there anything in the barrels?

The Inspector.—Well, I cannot say, sir.

Mr. Melly.—Did you hear the man tell me there was not?

The Inspector.—Well, I think I did hear you ask the question.

Mr. Bremner, at this point, said the premises had been purchased by Messrs. Smart, Gerard, and Co. The applicant had taken them, and had received an excise license.

Mr. M'Donald, manager for Messrs. Smart, Gerard, and Co., stated that the house was offered for sale about nine weeks ago, and Mr. Smart became the possessor of it for the sum of £675. On finding that the house was in a dilapidated condition, he (Mr. M'Donald) gave orders to various tradesmen to put it in proper repair. There was no attempt whatever at fraud on the bench. He believed the intention of Messrs. Smart, Gerard, and Co. was that if they did not obtain a removal of the license, they would keep the house open and see that it was properly conducted.

Mr. Bauner said it appeared, as far as he could make out, that this house had been closed for four years, and that the license had been renewed time after time; but last year the license was renewed upon a promise which had been deliberately broken, and which was a fraud on the bench. An architect had promised that the premises should be put in order. A hoarding was put up as though the work was to be carried on; and yet as soon as the license was

renewed, the hoarding was pulled down. He felt that up to last week there was no doubt it was never intended to put the place in repair, and that the whole thing was a sham.

Mr. Melly said it was openly admitted the other day that the thing was a sham and a colourable pretext in order to obtain a removal of the license by the then tenant.

Mr. Bremner.—What has that to do, sir, with an application from a tenant under a new management?

Mr. Banner.—It appears to me that this is a case in which the transfer of the property is to be considered a purging of all former offences.

Mr. Patterson contended that the place was not fit for the purposes of a licensed house. It was merely suited to the purposes of an oyster store or a newsagent's business. The present move was merely one to revive a corpse in the hope that next year a removal might be granted.

Mr. M'Donald repeated that Messrs. Smart, Gerard, and Co. had purchased the house in perfect good faith, and he denied that when they closed the bargain they had any intention of closing up the premises. He thought, under these circumstances, it would be very hard if Messrs. Smart, Gerard, and Co. were compelled to lose the money they had paid in good faith.

Mr. Patterson.—There is no evidence to show it is intended to carry on business in the house. It is a mere sham, a mockery, and a delusion.

Mr. Bremner.—And a snare. (Laughter.)

The Chairman.—From the appearance of the house, I was impressed with the idea that a few barrels had been placed in it to show to the magistrates that a business was being carried on.

Mr. M'Donald said he could assure the bench that that was not so. Messrs. Smart, Gerard and Co. had acted with perfect *bonâ fides* in the matter, and that he was prepared to swear to.

Mr. Patterson said it would not make any difference in his opinion if he did swear to it, as he had heard a good deal of hard swearing in that court.

The Chairman asked if there was anyone in court who could give the bench any information as to why the house had been closed for four years.

Mr. M'Donald having repeated that he was prepared to swear to the truth of what he had said,

Mr. Patterson said it would not make any difference in his opinion if the gentleman did swear it. If he did so it would not alter his (Mr. Patterson's) opinion. He must say if an oath were offered in support of those allegations it would confirm him in the conviction which had been forced upon him as to the utterly unscrupulous means that were being resorted to in order to deceive the bench, and to increase the drink traffic in Liverpool (loud cries from the bench of "Oh, no, no.")

Mr. Whitley at this point rose, and pointing to Mr. M'Donald said he knew that gentleman to be a man of truth and honour, and he thought the observations which had fallen from Mr. Patterson were quite uncalled for.

Mr. Bremner.—They are most disreputable. They apply not only to Mr. M'Donald, who is a man of character and standing, but to everyone. I say it is very disgraceful.

Mr. Copeman (solicitor) said he endorsed what Mr. Bremner had said. Mr. Patterson's observations placed advocates in a very unpleasant position.

Mr. Bennett said he knew nothing of that case until he came on to the bench that morning. He had, however, had business transactions with Messrs. Smart, Gerard and Co. for a number of years, and more honourable and upright men he had never had dealings with; and with regard to Mr. M'Donald, his friends, who knew him to be a truthful and honourable man, would fully exonerate him from the very severe censure endeavoured to be passed upon him by Mr. Patterson. He believed that the whole story, from beginning to end, which Mr. M'Donald had told them, was strictly true; and while he



(Mr. Bennett) was strongly averse to any increase of public-houses, he should feel bound in this case—where the purchasers knew nothing of the nature of the property until, at a moment's notice, they had bought it—to vote for the renewal of the license.

Mr. E. Banner explained that in anything he had said he intended to cast no reflection upon Messrs. Smart, Gerard, and Co., but if they purchased property without due inquiry the risk was theirs.

Mr. M'Donald repeated that he was prepared to swear to the accuracy of what he had communicated to the bench. Immediately after the purchase was made by auction at the Law Association-rooms, the matter was placed in his (Mr. M'Donald's) hands, and he then discovered to his surprise, as well as that of Mr. David Smart, that Mr. Alderman Rigby had been the owner of the property. He trusted that this explanation would satisfy the magistrates.

Mr. Bremner.—Except one magistrate.

Mr. M'Donald went on to say that the property was bought in an ordinary business way, and that attached to it was a certain privilege which they now sought to have conferred upon the applicant. He assured the bench that no trick was intended to be played upon them, and that even two hours before the sale of the premises by auction, Mr. Smart, who purchased them, did not know of the existence of the house.

Mr. Melly quite thought that these premises had been purchased with the intention of having the removal, and then when the removal was refused, the applicant came before them and said that if the license was renewed he would re-open the premises.

Mr. Samuelson.—But, then, there is the value of the license.

Mr. Bremner.—It would stand, sir, for what it would fetch.

Mr. Patterson.—I did not deal with the present alterations. My observations were levelled at the arrangements of this place, when it was only colourably fitted up as a public-house. I say it was a mere sham, a mockery, a delusion, and a snare.

Mr. Bremner.—You say if he swore it you would not believe it.

Mr. Patterson repeated that he said nothing of Mr. M'Donald's intention, but of what was the intention of other persons at the time they purchased the house.

The Chairman regretted the episode which had occurred, and the more regretted it because, when feelings of that kind were indulged in, it was almost impossible for the Bench to give an impartial consideration of the questions placed before them. His own feeling at the outset was to refuse the license, because he thought the house was one which had lost all business, and, therefore, the license was not wanted; and from his own inspection he thought the premises had been revived for the purpose of getting the transfer. Certainly the explanation which had been given to the Bench put the matter upon a different footing, because Mr. M'Donald explained that Mr. Smart bought the house in open market, and almost at a moment's notice; and although it was not yet in a proper state, still it had not been revived for the purpose of a transfer. Therefore, inasmuch as the house was open, and they were assured that it was to be kept as a public-house, he did not see how they could fairly refuse the consent to a renewal.

Alderman Livingston was surprised to hear the remarks of the Chairman after the decision in the previous case. They had evidence that this license had been kept alive as it were for four years. There had been no reason offered to the Bench why that license was not used, or why the house was closed. The only excuse now put forward was that a certain gentleman went to a public auction, and bought a certain property. He would certainly vote against the renewal.

Mr. Whitley said he would vote for the renewal, on the ground that where licenses had been granted and renewed again and again it would be a great hardship to have them now withdrawn.

The Chairman denied there was any analogy between the two cases mentioned by Mr. Alderman Livingston, because in the one case the house was closed and utterly unfit for occupation, while in the other the business was being carried on.

On a vote being taken, five hands were held up for renewal and five against, but as a majority of the justices present are required to sign a renewal, the application was declared to be refused.

#### ANOTHER POSTPONED APPLICATION FOR RENEWAL.

Lawrence Connolly, who on Tuesday applied for the transfer of a license to Belle-street corner of Horatio-street, in lieu of a license to premises, 12, Great Charlotte-street, and which application was refused, now applied, through Mr. Bremner, for a renewal of the license to the Great Charlotte-street premises. It was stated by the applicant that the license in connection with the latter premises, and which he now used as a fruit warehouse, had cost him over £500, but if the license was renewed he was prepared to open the place as a licensed victualler's establishment.

The application was refused by a majority of six to one.

#### THE BEERHOUSE 'BLACK LIST.'

The magistrates next proceeded to consider the applications for renewals of beerhouse licenses, and, with the exception of two cases where two convictions had been recorded, the licenses were renewed, with a caution to the applicants to be careful in future."

The following resolution was unanimously agreed to during the licensing proceedings :—

"That without in any way prejudicing any action which may be taken by any person in respect to the sale of liquor in places alleged to be unlicensed, it be hereafter a rule of the Bench that from and after this date no license to any existing public-house or beer-house will be renewed where any extension or structural alterations of the premises now licensed has been commenced or made without the consent of the Bench having been previously obtained, such consent to be applied for 14 days before any Transfer Sessions in writing, accompanied by plans showing the proposed alterations."

We believe that the Magistrates have fallen into an error here. The taking in of fresh premises must obviously be premises in respect of which a similar license has not heretofore been granted, and, if so, the permission can only be given at the Annual Licensing Session after the proper notices (as for a new license) have been given.

At the recent Transfer Sessions in the City of London, Mr. Child, on behalf of Lillejohn's Scotch Confectionery Stores and Restaurant, asked for permission to extend, when the chairman (Mr. Alderman Sidney) told the applicant that if he thought fit to carry out the



alterations he must do so at his own risk, *because the magistrates sitting at a mere Special Session* could give no sanction to it. He added that such matters were usually disposed of at the General Annual Licensing Meeting.

Mr. Stead, on behalf of the Landlord of the Cheshire Hunt, Hyde-road, Gorton, applied to the County Magistrates at Manchester for permission to extend, and the applicant *was referred to the General Licensing Session.*

#### THE CLIFTON HOTEL.

"Several of the justices present then formed themselves into a licensing committee, under the chairmanship of Mr. Raffles, the stipendiary. The first case heard was that which had been adjourned from Tuesday, in which Sarah Copplestone had applied for a victualler's license for the Clifton Hotel, 41, Islington. Mr. Copeman appeared for the applicant.

The Chairman, after consulting with his colleagues, said the bench were disposed to grant this license, with the full understanding on the part of the applicant as to the resolution come to on the previous day, on Mr. Lawrence's motion, as to the structural condition of the premises.

Mr. Little said he was instructed on the last occasion to oppose this license, and he thought that before the bench gave their decision he would have been heard again that day.

The Chairman—The decision has been given that this is a hotel.

Mr. Little said if the decision had been given, then he could not object.

#### THE BRUNSWICK HOTEL.

An application was made by Mr. Bremner, on behalf of Mrs. Eliza Postance, for a license to the Brunswick Hotel, 79, Sefton-street. In making the application, Mr. Bremner pointed out that it was in immediate contiguity to the docks at the south-end, and that in addition to being, in a hotel sense, a great convenience to masters and mates of ships, it was also the most suitable place in which the workmen from all parts of the town could obtain refreshment, and for them alone the applicant provided dining accommodation for not less than 300 to 400 daily.

The application was unanimously granted.

Mr. Melly said it ought to be understood that the two applications just granted had been put back in view of Mr. Lawrence's resolution. That resolution having been passed, the licensing bench were now protected from having hotels converted into common drinking-shops.

The billiard licenses having been renewed, Mr. Lawrence said the session was now closed, and, in separating, he wished to convey the impression of the bench as to the satisfactory manner in which the officers, who had a special duty to perform in regard to public-houses, had done their work. He hoped they would continue to go on in the same way, without fear or favour. He also thanked the legal gentlemen present for the assistance they had rendered to the bench.

Mr. Bremner endorsed all that Mr. Lawrence had said in regard to the officers, and thanked the bench for the courtesy and patience with which they had listened to the arguments which he and his learned friends had felt bound to advance in the interests of their clients."



In the interval of the adjournment of the Renewal cases, the following applications for Removals and for New Licenses were made, and many of them opposed by our Association :—

#### REMOVALS.

“The first application for a removal was by Walter Francis, for a license for Bankhall-street, corner of Brazenose-road, Kirkdale, in lieu of a license No. 37, Smithfield-street.

Mr. Bremner supported the application. He said he was glad to hear that their worships, or a great portion of them, had gone round to the premises. It was once the practice of the magistrates to divide the town into districts, and each took a separate district. Thus they made themselves acquainted not only with the character of the premises, but with the position and the *locus in quo*. As regarded Smithfield-street, it had now passed away; but the neighbourhood into which it was proposed to remove this license was rapidly rising, and new streets were being built. By granting this new license they would elevate the premises in Bankhall-street from a beerhouse into a licensed house, thereby adding to the respectability of the premises and the care with which the house would be conducted. They would also shut up a public-house in Smithfield-street which was not required, because if it were it would not be removed. As to the requirements of the neighbourhood, he would mention that in Kirkdale the number of assessments in 1866 were 4642, in 1875 the assessments were 8803. With regard to removals, the Legislature had said that under certain circumstances removals might take place. He did not deny that justices might use their discretion as to the wants of the neighbourhood, but they were not limited, as they were in 1871, to the consideration of that question.

Mr. Little opposed the application. There was no dwelling-house within 60 yards of the house to which it was proposed to renew the license. The new house was a gin-palace of a pronounced type, with three doors, and was not likely to elevate the character of the neighbourhood.

The application was unanimously refused.

Mr. Bremner, on behalf of Lawrence Connolly, applied for a removal of the license attached to premises at 12, Great Charlotte-street, to Belle-street, corner of Horatio-street. It appeared that at the session on Tuesday the magistrates refused to renew the license, the officers having reported that the place was held as a fruiterer's shop.

Mr. Bremner contended that the Bench could not have refused the license, as there was no application to renew it. Inspector Gardner reported that there were seven public-houses within 200 yards.

The Chairman.—Assuming that there is anything to remove here, we decline to remove it.

An application for 30, Cazneau-street, in lieu of 18, Oldhall-street, was unanimously refused.

Robert Ruddick applied to have a license for Lambeth-road in lieu of 17, Upper Frederick-street. Mr. Melly said the house had been shut up and then opened and furnished like a little playhouse for them (the magistrates) to see last night. Application unanimously refused.

Mr. Bremner applied on behalf of Mary Jack, victualler, for a license for No. 1, Maddrell-street, corner of Great Howard-street, in lieu of 42, Sparling-street. Mr. Bremner defended Liverpool from the imputation that it was a drunken place, and pointed out that though there were no facilities for drinking in Maine, yet 38,000 persons were arrested annually for drunkenness, or

one thirty-fifth of the population. That could not be said of Liverpool, but it showed that if there was a Maine liquor law there would still be drunkenness. Application refused.

Charles Turner, victualler, applied for a license for Moses-street, Park-road (premises in course of erection), in lieu of 274, Park-road. Mr. Bremner said Mr. Turner had occupied the premises called the Pine Apple, which belonged to the Earl of Sefton. Earl Sefton having other intentions in respect to his property, told Mr. Turner that he would require him to give up possession because he intended to deal with the land in another way. But the Earl of Sefton consented to lease a piece of land to Mr. Turner a few yards higher up the street, where he could erect a public-house. Plans were put in showing the proposed new premises, which would have accommodation for travellers, and be really, Mr. Bremner said, a victualling house under the terms of the old act of King George.

Mr. Melly said the old place was a comfortable old inn : the new one was a place with a long mahogany bar, at which several people stood drinking in a row.

The Chairman.—We shall be Conservative in this, and prefer the old Pine Apple to the new. (Laughter.)

Application refused.

James Gardner Martin, victualler, applied for a license for 69, Tintern-street, corner of Walton-road, in lieu of 12, Crooked-lane. Mr. Copeman supported the application. The nearest house on the south side was 188 yards. On the other side the nearest was 56 yards, the next 120, and the next 200 yards. It was stated that the premises in Crooked-lane were in a dilapidated condition.

Application unanimously refused.

William Inglis, victualler, applied for a license for Walton-road, corner of Bradwell-street (premises in course of construction), in lieu of 40, Scotland-road. Mr. Bremner, in supporting the application, said last week Mr. Thomas, of Scotland-road, prayed the magistrates to exercise what powers were confided in them for the purpose of lessening the number of public-houses. He agreed with what Mr. Picton had said at the close of a letter in the newspapers, that he agreed with Mr. Moody that certainly the best way of putting down public-houses was never to go into them. It was not by denying an increase of them, because if they denied an increase of public-houses it only increased the benefits of those already in existence, and in these days of free trade the theory was that every man ought to have a right to carry on such a business as was likely to make him a living. Scotland-road was profoundly and profusely supplied with public-houses, and it would be a great benefit if some of them were removed. He was going to ask them to remove them. (Laughter.) Mr. Thomas had said that they were going from bad to worse in Scotland-road, therefore it was most desirable to relieve Scotland-road of the superabundance of public-houses, and the Bench had now an opportunity of doing so.

Application unanimously refused.

The application of Sarah Williams, victualler, for a six days' license for Walton Breck-road, corner of Beacon-lane, in lieu of 65 and 67, Richmond-row, was refused.

#### VICTUALLERS' NEW LICENSES.

Grace Lewis applied for a victualler's new license for 134, Beacon-lane. This was the tenth application made by Grace Lewis, and it was supported by Mr. R. H. Bartlett. The house was her own property. Ten years ago her husband left her, and she was now in possession of a magistrate's order of protection. The nearest house was 90 yards off. Mr. Little opposed and presented a memorial against the application. Application unanimously refused.



William Jones applied for a victualler's license for Celia-street, corner of Miranda-road. Inspector Gardner said there were only two houses in Celia-street; one was the public-house and the other a dye-house and washhouse. Mr. Copeman, who supported the application, said the requirements were by anticipation. Application refused.

John Hall, beer and wine retailer and refreshment-house keeper, No. 25, in the Temple, Dale-street, applied for a victualler's license. Inspector Rogerson said there was only one room for the accommodation of the public, and the Act of Parliament required two. Applicant said there was a dining-room, smoking-room, and kitchen. Inspector Gardner: They are all on one floor. Application refused.

An application by Edward Pawson, beer and wine retailer, 134, Beacon-lane, for a victualler's license, was refused, there being three public-houses in close proximity.

Andrew Henderson M'Ostrich, beer and wine retailer, and refreshment-house keeper, 41, Cable-street (Melville-chambers), applied for a victualler's license. The application was supported by Mr. Copeman, who presented a memorial which he said was a genuine document, as he was in a position to prove all the signatures. The memorial being handed in, Mr. E. Lawrence pointed out that there was the signature 'Mucous Membrane, Royal Infirmary.' Did Mr. Copeman intend to prove that? Mr. Copeman said that was, no doubt, a practical joke.

The application was refused.

Abel Jaillot, 28, Duke-street, applied for a victualler's license. The premises in question were, it was stated, the Caledonian Hotel, which were attempted to be burned down recently.

Application refused.

Sarah Copplestone, the Clifton Hotel, 41, Islington, applied for a victualler's license. It was stated in support of the application that the place was purely and simply an hotel. There were 21 beds, and the license was required, not so much for the convenience of the neighbourhood as for travellers. Applicant had kept the house for 16 years, which had been well conducted. A memorial, signed by Dr. Cross and other inhabitants, was put in in support of the application. Applicant was the tenant of the house. Mr. Melly said applicant being the tenant, she might be turned out and the place turned into a roaring gin-palace.

The Chairman said they would adjourn this case until Thursday at twelve o'clock. The reason was this: some gentleman would propose on Wednesday a certain resolution as to structural alterations. They wished it to be discussed and settled before anything further was done in this case.

For the same reason the application of Eliza Postance for a victualler's license for 79, Sefton-street was adjourned to Thursday.

Joseph Griffiths applied for a victualler's license for 33 and 35, Alt-street, but as the premises did not come up to the assessment and rental required by the Act of Parliament the application was refused.

There was an application on the list in the name of Elizabeth Braddock, for a license for 79, Smollett-street, but as the applicant did not appear her name was struck out.

Henry Camidge, wholesale wine and spirit dealer, applied for a six days' license for the premises 53 and 55, Renshaw-street. The application was supported by Mr. Bremner. Mr. Little opposed it, on behalf of the Young Men's Christian Association and others.

Mr. Bremner said that seventeen years since the bench granted to applicant a license to premises in Duke-street. Although there could be no condition attached to the exercise of the license, Mr. Camidge fulfilled the verbal condition he then entered into, and sold liquor only in small quantities to be



drunk off the premises. The owner of the premises died, and afterwards Mr. Camidge's lease expired. The executors then gave him the option of renting adjoining premises at the corner of Berry-street, to carry on as a retail public-house. Mr. Camidge declined to do this, on the ground that that was not the sort of business which for so many years he had carried on. He then removed to his present premises in Renshaw-street, for which he now sought a victualler's license. He had been in the present premises 18 months. Mr. Bremner put in two memorials in support of the application—one signed by persons who had lived near Mr. Camidge's premises in Duke-street, and the other by persons resident in Renshaw-street. Mr. Bremner, in reply to the chairman, said Mr. Camidge could now sell anything, but not in less quantities than a quart. Mr. Little submitted that Mr. Camidge had now an opportunity of doing business to quite as large an extent as was necessary. The Chairman said they were unanimous in refusing the application, but they did so reluctantly. There was no guarantee that the place might not be turned into a flaming gin-palace within a very short time.

#### SALE OF BEER, WINE, ETC., ON PREMISES:

The following are the results of the applications to sell beer, wine, and spirits for consumption on premises :—

Refused, 7 ; granted, 5 ; struck out, 1.

#### SALE OF BEER, SPIRITS, AND WINE, OFF THE PREMISES.

Results of applications to sell beer, spirits, and wine by retail, to be consumed off the premises :—Granted, 22 ; refused, 1.

Immediately after the Sessions, the question was brought before Mr. Raffles, the stipendiary magistrate, in two cases selected by the Vigilance Committee, and two by our Association. In the Alice-street and the Haigh-street cases convictions were secured, a fine of 40s. and costs being imposed in each case.

The Blundell-street case was dismissed, and in delivering judgment Mr. Raffles said :—

“In the matter of the informations *Hughes v. Llewellyn*, and *Hughes v. Steadman*, which I heard, I thought it desirable to take time to consider my decision, as the main point in question has been much discussed. The two cases differ, as it appears to me, considerably in their circumstances. In Llewellyn's case a license had been granted to No. 1, Alice-street, and since the renewal of the license in 1874 the adjoining house, No. 88, Paddington, has been added in its entirety to No. 1, Alice-street. Taking the case of '*Regina v. Smith*,' which was decided by the Court of Queen's Bench, as the best authority on the point, the question seems to be—are the premises, No. 1, Alice-street, to which the license was renewed in 1874, substantially the same premises as then ; and I cannot say they are. Finding this as a fact, I am bound to say that the defendant, Llewellyn, was selling on premises not licensed, and I convict him in the penalty of 40s. and costs. My decision on the question of fact can, of course, be questioned on appeal, and I am glad that it is so ; and the point, how far the renewal of the license to No. 1, Alice-street, at the last licensing sessions, affects the question, may also be raised elsewhere

by the defendant. The case of *Hughes v. Steadman* differs, as I said, considerably in its circumstances. In that case a few yards were sold by the Corporation of Liverpool to the owner, and one consideration for the sale was the giving up by the owner of a right of way. The owner, therefore, rebuilt a great part of the premises, and included the small piece of ground purchased. Undoubtedly in this case also, as in the other, a more attractive frontage and an additional opening in another street were thereby secured, but the premises remained substantially the same; and finding that as a fact, I must, having regard to the case of '*Regina v. Smith*,' dismiss the information, however much I regret that additional drinking facilities are thereby given by an extended and more pretentious exterior."

The Prison Weint case was also dismissed, Mr. Raffles stating as follows:—

"This case differs very much from that which was before me the other day. In that case the alterations had only been made since the last Session, when the license was renewed (I believe it was No. 1, Alice-street) and then it was stated that if any alterations were made after the last licensing Session—then that question might come before the Court. That is one side of the question. The granting of the license by the Magistrates conditionally, rendered the license liable to a penalty. I have no doubt that on appeal it will be argued that the license was granted conditionally, but in the case now before the Court the license has been granted year by year without condition. If I had had this question to decide, I should have held that they were not the same premises, but I now hold that you are too late in coming here. \* \* \* As this license was granted in 1868, and proceedings are only taken to-day, I hold you are too late."

As was expected, Mr. Bremner gave notice of appeal in the Alice-street and Haigh-street cases, and on the 19th December a long legal discussion took place before the Recorder in St. George's Hall. Mr. Little appeared for the respondents, Messrs. Gully and Bremner for the appellants. We append the report, and regret that the Recorder has not yet given his decision.

"Mr. Little, in opening the case for the respondents, said the conviction was obtained under the third section of the Licensing Act, 1872, which enacted that no person should sell, or expose for sale, any intoxicating liquor at any place where he was not empowered by his license to sell the same. The facts of the case were briefly these:—The appellant was licensed from the 10th of October, 1874, to the same date in 1875, to sell intoxicating liquor on the premises described in the license as No. 1, Alice-street, and during the year 1874-5 he took in the adjoining house, No. 88, Paddington, commencing to sell liquor thereon. On the 25th September, Mr. Hughes, the informant, visited the premises, 88, Paddington, and there saw persons purchasing drink, for which they paid, though at the time the license was granted, in October, 1874, the house was entirely separate from No. 1, Alice-street; and it was for this offence that the appellant was summoned and convicted. The only contention on the facts of the case must be, that if a man was licensed for one house he was entitled to take in the next house during the period for which he was licensed, and commence selling on such additional premises. The consequence



of that would be, that in Liverpool, during the current year, instead of liquor being sold in some 2,500 houses, licensed victuallers would be entitled to sell in 4,000 or 5,000 houses. With regard to the 'Queen v. Smith,' quoted in the court below, he wished to point out that it could not be considered applicable in any way to the present circumstances. That case, in which a man during the year of his license had added another house to his premises, was under the old statute of the 9th George IV., chap. 61, which was in several respects different from the present act 35th and 36th Victoria, chap. 94. The first difference was that under the act of George IV the license ran that a man could sell in a house and 'on the premises belonging thereto;' whilst under the other act the license did not run with regard to the 'premises belonging thereto,' the license having to be in such a form as might from time to time be prescribed by the Secretary of State. And in that license there were not the words—'on the premises belonging thereto.' According to the old license these words had been held to apply to an outhouse or shed in the curtilage of the premises; but there was no such authority now for the license to sell 'on the premises belonging thereto.' With regard to the question of what constituted a license, Mr. Little drew attention to the fact that in the 74th section of the 35th and 36th Victoria, it was stated that the license was for the 'sale of intoxicating liquor granted by the justices,' so that the license was the justices' grant and not the excise certificate. Therefore it was of no consequence whether the excise entry included all the premises or not. The contention was urged in the Police Court that if an entry had been made with the excise that was all that was required, but under the present jurisdiction the justices' license was the one referred to in the act.

The Recorder.—Whatever the result of this conviction may be, I have a strong opinion that if the magistrates, either carelessly or for want of sufficient information, did renew a license to premises altered during the previous year, that license must be taken to apply to the premises as altered, and the more so because there is a clause making it the duty of the magistrates to form an opinion on the structural adaptation of the premises. However, in this case perhaps the reservation made by the magistrates may make the difference. Unless I am mistaken this is the way in which the Adelphi Hotel has grown to its present dimensions. I think I can remember when the license only applied to a corner house—at all events to a very small portion of the frontage—but under the enterprising manager house after house has been added until the whole block has been acquired. I do not think, so far as I know, that the attention of the magistrates has been drawn to that.

Mr. Little.—Oh, yes, repeatedly.

Mr. Gully.—They are going on under the same license without any fresh notice, and at present they are actually carrying on business at the back while the front is being rebuilt.

Mr. Little said he was not contending that any new license was necessary in that case.

Formal evidence of the structural alterations and the sale on the additional premises having been adduced,

Mr. Gully addressed the court on behalf of the appellant. He said he could not help thinking that the question itself was raised with a wrong view of the meaning of the 3rd section of the act. Certain people supposed that the act was intended to suppress facilities for drinking, but it was not intended to operate in that way at all. It was framed for the purpose of regulating the trade, and to prevent improper persons holding licenses, or improper premises being allowed to exist under a license. The act provided that no person should sell intoxicating liquor at any place where he had not authority by his license to sell the same, but it was not intended by that to define the limits of the 'place,' but to direct attention to the site at which his license was carried on. And he contended that the Legislature did not mean that if there was no alteration of the premises which might extend them, it was illegal to sell in that altered part. And if the decision



in the *Queen v. Smith* was right, it followed that a publican might extend his house, provided it was substantially the same premises. The Recorder asked whether if the London and North-western Hotel was extended to Edgehill, would it be the same place? (A laugh). Mr. Gully replied that of course Edgehill was not the same place as Lime-street, and went on to say that the 46th section of the licensing act provided that if at the first general annual licensing meeting the licensing justices were of opinion that any premises which were licensed for the sale of intoxicating liquors were not of such annual value as authorised the grant of a license for such premises, they might, notwithstanding, renew such licenses on the condition that the holder of the license, before the next annual session, improved the premises so as to make them of sufficient annual value. And if the licensee failed in this, it was set forth that the license should not be renewed. Mr. Gully pointed out that this clause contemplated something in the nature of an addition to the premises, for a man could hardly improve the annual value by merely painting and papering the premises, and he must add to it in nearly ninety-nine cases out of a hundred. Mr. Bremner also addressed the court on behalf of the appellant, saying that if that conviction were to be affirmed, it would be a declaration that no publican in the kingdom could enlarge his premises by way of improvement unless he ran the risk of rendering himself liable to severe penalties under the act. The Recorder said that notwithstanding the conviction the appellant might get a license for a modest little tavern in which one room must be appropriated to the public and two retained for private purposes, and he might throw the other rooms into any conceivable shape or form, or even make them into a ginshop, or anything else, without the magistrates being able to touch him. Mr. Bremner remarked that it was very important that the rules of law should be brought in harmony with the commonsense of the community, and surely it was enough to shock one's sense of what was fit and proper to render a man liable to a criminal penalty for altering or adding to his premises which were licensed. He thought the Legislature would not have left a very serious offence of this kind to be merely inferred or left to the construction that might be put upon an indefinite word of a section of an act of Parliament, and that if they had intended to inflict such a punishment they would have strictly defined the offence. The Legislature specified the minimum of accommodation which should be provided in a public-house, and if this was so, why should a man be liable to a criminal penalty if he exceeded that minimum? The Recorder asked if there was any section in the act requiring a publican to give notice of any alterations; he thought there was in the 9th Geo. IV. Mr. Gully said there was none in the new act.

The Recorder observed that the whole argument was whether the word 'place' meant substantially the same place, or whether it meant to define the exact limit of the house which existed when the first licence was granted. After hearing the whole of the learned counsel's arguments, his Honour announced that he should give his judgment on the question on Monday next. Mr. Gully mentioned that there was another appeal, where very nearly the same points were raised; and after some conversation it was agreed to respite this case to the next sessions. The Recorder said he would be prepared to give his judgment upon the first appeal on Monday; but he said that if the parties would like to have the opinion of the Court of Queen's Bench, with or without his judgment, he should be glad if they could adopt that course, as he was anxious that the opinion of the higher court should be taken before he gave his decision."

The Recorder decided to wait till a decision had been given in the Higher Court.

In the Blundell-street case, our Association was anxious to have the law clearly and intelligibly brought out, and Mr. Little was

instructed to ask Mr. Raffles to state a case for the Superior Court. This he declined to do. It was then resolved to apply to the High Court of Justice for a Mandamus. We append newspaper report of the same :—

Mr. Pope, Q.C., applied for a rule calling upon the respondent and the stipendiary magistrate of Liverpool to state a case for the opinion of the court under the following circumstances :—It appeared that on the 4th October, 1875, an information was laid by Nathaniel Smyth, of Renshaw-street, against John Stedman, 1, Blundell-street, for that Stedman, being a licensed victualler, did on the 29th September sell certain intoxicating beer and spirits at a certain place where he was not authorised by his license. The fact was this : In the North of England it had been the practice, where a license had been granted under the new Act of Parliament, for the owner or the publican largely to add to the premises that were licensed ; and the question desired to be raised was how far a license granted at the Licensing Session of 1874 would cover additions made to the house during the currency of the license of 1875. The stipendiary magistrate said it was a question of fact rather than of law, and refused to grant a case. The license was granted for 1, Blundell-street, and it appeared that adjacent to this place there was a piece of land, having a frontage of six to seven yards to Blundell-street, and four or five yards to Jamaica-street, there being 28 square yards of vacant land. This land was built upon, giving an additional frontage of six or seven yards to Blundell-street, and four or five yards to Jamaica-street, where vaults had been added. The consequence was, that where formerly there was a small house, there was now a largely extended and pretentious exterior to a different house in reality. The stipendiary magistrate stated that although there was a more attractive frontage and an additional opening into another street, still the premises remained substantially the same, and finding that as a fact, he must, having regard to the case of the *Queen v. Smith*, dismiss the information. The learned counsel thought that if it were a pure question of fact it was difficult to see how the magistrate had arrived at the conclusion that the premises remained the same. He should contend that no addition made during the pendency of a license was covered by the license ; and as to the case of the *Queen v. Smith*, that was under the Act of Geo. III., and did not apply to the present case.

Mr. Justice Mellor : It seems a strange thing that a man cannot improve and enlarge his house without losing his license.

The Lord Chief Justice : However, taking your description of the house, there is certainly an alteration of the house altogether ; and therefore we shall grant a case to have the matter settled.

Mr. Pope : There is a house near the docks which claims to have a tunnel to another house, and sell intoxicating liquors under the old license.

The Lord Chief Justice : That cannot hold good."

The question came again before Lord Chief Justice Cockburn, Mr. Justice Mellor, and Mr. Justice Field, on Monday, January 17th, of this year, when—

" Mr. Poland, with whom was Mr. Bremner, showed cause against the rule. He contended that it was not a question of law but of fact, and that being so, it was a question entirely for the magistrate, and if erroneous it could not be reviewed by this court. The licensing justices had, on the decision of the stipendiary, renewed the license in the old form. If the opposite contention was right, no hotel-keeper could enlarge his coffee-room or add bedrooms without being liable to the penalty. It was a question of degree in the discretion of the magistrate.



Mr. Pope, Q.C., with whom was Mr. Little, appeared in support of the rule. He said it was not a question of putting people to bed, but the sale of intoxicating liquors.

Mr. Poland said if the court upset the decision of the stipendiary, and a man enlarged his coffee-rooms, he would have to draw a line of demarcation, and the customer would have to eat on one side and then come on the other side to drink.

Mr. Pope said if this mode of increasing premises was sanctioned there would be nothing to prevent including under the license all the houses from this house to the docks. Any improvement within the area of the premises would not affect the license, but it was never intended that it should cover other land taken in to extend the premises. Selling on the premises had always been held to be the premises within the area of the license. A man drinking beer at the door of a public-house drank it off the licensed premises. This was a communication made from unlicensed to licensed premises. The effect had been to convert a public-house in Blundell-street into a corner house of much greater value.

The Lord Chief Justice then delivered judgment as follows:—I think this rule must be discharged. The question whether the premises continued to be the premises for which the license had been granted was a question of fact for the decision of the magistrate whom the question came before; although I do not mean to say that, supposing we saw that the magistrate had gone clearly wrong, we should not interfere. Take, for instance, the case Mr. Poland put in the course of his argument, that the whole street, or the greater portion of the street, had been added on to the original premises, and the magistrate had said the whole street became by that one and the same as No. 1 for which the license was granted—that would be clearly so wrong that I think it would be a case in which we might review the decision come to; but, unless we see that the justice has gone clearly wrong, we ought to uphold the judgment which he has come to in the matter. I must say I think he was right, looking at the very small addition which was made to the premises. The original property was some 125 yards in extent. This was an addition of 28 yards, bearing so very small a proportion that it might be fairly said it was merely an accretion to the house, and not distinct and separate premises at all. When we look at what was the purpose of the Legislature, the purpose was to secure the premises for which the license was to be granted to be of sufficient value, because that was a fair test of the interest which the publican has in conducting his establishment, so as to secure peace and order. Therefore, that must be taken to have been the object of the Legislature that a license was granted to particular premises with a distinct number. What it means is this: Whatever may fairly come under that condition is to be covered by the license. This was such an addition to this building as that it might fairly be considered to become a part of the premises described in the license. We do not think we should interfere with the exercise of the discretion of the magistrate.

Mr. Justice Mellor.—I am of the same opinion. We are required to put a construction on this act, and we have very fairly been referred by Mr. Pope to the preamble of the act to see whether what the magistrate has done here is right. But I see it is not only to make alterations in the mode of regulating public-houses or places in which intoxicating liquors are sold, but ‘the better prevention of drunkenness’ is not by any other means provided by the act than this. This means that it was the object of the Legislature to raise the value, as there was then less probability of drunkenness, whether that was right or wrong; but certainly it was the view which the Legislature had when they described this as also ‘for the better prevention of drunkenness.’ The general carrying into effect of the provisions of the act is left to the magistrates, and whether or not this is the same house which is covered by the license when after the alterations and additions are made which not only



enlarge the area but also improve the accommodation provided by the house is a question for the discretion of the magistrates within reasonable limits. I think if the magistrate were to decide the matter clearly wrongly, we should exercise our discretion within the meaning of the act; but we ought not to interfere where the magistrate, having viewed the house and seen it probably, is convinced that the alteration which has been made does not destroy its identity as the place which was licensed for the sale of intoxicating liquors. I cannot see any ground on which we can interfere. I think therefore that the magistrate was right in the view he took, and then we must say you must abide by the decision of the stipendiary magistrate and the rule will be discharged.

Mr. Justice Field.—I am of the same opinion. We are called on in one sense to construe a written instrument, and no doubt if we had to construe that instrument in order to give a proper construction, Mr Pope's contention would be right, that this was not at the date of the license No. 1 Blundell Street, and no part of it; but then in order to see the meaning of this section we must look at what is the object of the license and what are the considerations acting on the minds of the justices who grant it. The license is a license to No. 1, Blundell Street, as it then was, but it is to authorise the occupier to use it for certain purposes during the period of the license, which is for one year; and the question, therefore, comes to be this—whether or not, by the use of the words 'No. 1, Blundell Street,' the magistrates are supposed to have intended that no enlargement of any kind was to be added to that during the continuance of the license for that year. I say, as was said by my brothers Mellor and Lush in the *Queen v. Smith*, that I cannot by law say that any trifling enlargement of the premises would prevent its continuing to be No. 1, Blundell Street, unless I can say that as a matter of law. Then I must consider whether or not the stipendiary magistrate (Mr. Raffles) has come to a right conclusion. How can I say he has come to a wrong conclusion in holding that this addition to it has not destroyed the license? Mr. Pope used as an argument which struck me of great weight—'In truth, you have not only added a piece of ground to No. 1, Blundell Street, but you have made it number something else, and you have therefore added what is of enormous value undoubtedly to the public-house, and must alter the incidents of its occupation'—but I cannot see myself that that has destroyed any of the substantial elements which the licensing justices would have taken into account in granting the license. On the contrary, it seems to have made the premises certainly more desirable for the granting of the license than they were before. I cannot say that Mr. Raffles was wrong in holding as he has done, according to common sense, that the identity of No. 1, Blundell Street has not been destroyed by the enlargement of the premises.

Mr. Poland —My lords, I apply for costs. The informer was a volunteer, and the information was not laid by the police authorities.

The Lord Chief Justice.—Yes, the costs will follow the event.

With a view of ascertaining the manner in which this question of extension of Public Houses was treated by the Licensing Magistrates throughout the country, a circular was addressed from our office to gentlemen holding the important positions of Clerks to Justices, asking for information; and replies were courteously returned from Accrington, Blackburn, Bishop Auckland, Bristol, Bedford, Brighton, Bridlington, Birmingham, Cambridge, Carlisle,

Chesterfield, Darlington, Derby, Dudley, Exeter, Glossop, Hull, Huddersfield, Ipswich, Kidderminster, Leamington, Leicester, Lincoln, Manchester, Middlesbrough, Newcastle-upon-Tyne, Nottingham, Norwich, Northampton, Oxford, Plymouth, Rugby, Rotherham, Scarbro', Sheffield, Torquay, Taunton, Trowbridge, Worcester, Wigan, Walsall, and Warrington.

The facts elicited tend strongly to convince your Executive that "the Trade" has for a long time stealthily broadened and enlarged itself, without legal sanction, until now in many places its oppressive rule is becoming intolerable. In many towns, however, the publicans are not allowed to extend without an express permission from the Licensing Authorities.

This subject will continue to receive great attention, as its importance in Liverpool can scarcely be estimated. We trust the notice given by the new member for St. Anne's Ward in our local parliament will shortly elicit the information which, when presented, we feel assured will be matter for surprise.

#### LICENSES TO THEATRES.

At a Special Session, licenses were granted to the several theatres, the following notes respecting them will be of interest to our subscribers :—

The *Alexandra Theatre* license was granted on an undertaking being given to close the refreshment bar a quarter of an hour after the finish of the performance.

One of the lessees of the *Amphitheatre* gave the following reasons why the Legislature adopted the "tacking system" of Excise licenses for theatres :—"The Legislature found it necessary to give the manager control over the refreshment bars, and he remembered the cry there was from the public-house people when the manager was given that control. There were four bars at the *Alexandra* ; they had three at the *Amphitheatre*. But if it was supposed that these bars were a source of profit to the manager it was a mistake. The profit was so small that it was not, in a place like a theatre, to be thought of. But it did give the manager control over the house,



and during his eight years' management there had not been one case of misconduct or intoxication, or anything wrong on the part of the audience. He thought that spoke well for the working of the system."

During the past year an attempt was made to transform the Beaufort-street Chapel into a theatre, and an application was made to the magistrates for a license, which was opposed by Mr. Little on behalf of our Association, and we are rejoiced to record that the attempt was defeated, although a license has since been obtained for Sefton-hall, in the same neighbourhood.\*

The bars of the *Colosseum* were only open during the evening. The applicant was not certain whether he would take out an Excise license for Sefton-hall.

The *Rotunda*.—Here they close the public-house at the proper time; but if the performance was rather late, they sold ten minutes after at the bar of the theatre.

*New Adelphi*.—The magistrate granted the license, but suspended its issue for a week, in order that a wall might be erected in the yard to cut off communication between the public-house and the theatre.

#### DRINK IN DOCK.

We copy from the *Liverpool Mercury* the following:—

"The Liverpool magistrates have decided a knotty question as to the operation of the licensing laws. The master of a steamer trading between this port and Dundalk was summoned for selling excisable liquors on board the vessel on a Sunday forenoon, in the Collingwood Dock. The point raised affected the jurisdiction of the bench. The steamer had an Excise license, by virtue of which the steward could sell drink at any time whilst on a voyage, but it was shown that a large number of persons were supplied with liquor after she had been moored in dock. It was contended for the defence that even then the vessel did not come under municipal control, and that any prosecution must be undertaken by the Excise, who had granted the license. The magistrates, however, took a common-sense view of the matter, and fined the master £10 and costs for selling during unlawful hours. It is obvious that if a different view were admissible every steamer in the port might be converted into a drinking saloon during hours when ordinary public-houses are prohibited from opening, alike to the detriment of public morals and the interests of publicans who honestly obey the law."

---

\* It must be understood that our Association opposed this license solely on the issue of the sale of liquor.

## TRANSFERS.

Through the action of the Executive the question of Transfer of Licenses was brought prominently before the public in the Monro-Walker case. The facts are very simple: an application was made to transfer the license for a house holding a license from the trustees of a former tenant to a man named Harrison. The application was opposed by Mr. Little, barrister, on behalf of the Association, when it transpired that the applicant was the servant of Mr. A. B. Walker (Ex-Mayor), and the application was refused. At a subsequent transfer day, however, on renewed application, the transfer was obtained. In delivering judgment against the application, Mr. Patterson, one of the magistrates,

“Pointed out that the only powers of transfer conferred by the Act of 1829, sec. 14, under which transfers are applied for at these Sessions, were in insolvency, where assignees conveyed the property, ‘of such person becoming incapable of keeping an inn’ (and it was proved by the Inspector that this place had not been kept as an inn), then the Justices had power to grant a license if they saw fit to any person to whom such assigns shall by sale or otherwise have (not colourably assigned to a servant with weekly wages, who is really and truly the keeper of the house) *bona fide*, or, in the exact words of the Act, ‘*bona fide* conveyed or otherwise made his or their interest in the occupation and keeping of such house,’ and, as he (Mr. Patterson) said, these words of the Act contemplated only such conveyance as was made, viz., *bona fide* to Mr. Walker, and not such as was colourably made by Mr. Walker to his servant, who could be dismissed in a week or less. Further, that if Mr. Walker had been the applicant his case for transfer might have been a strong one, but that Harrison, the only applicant before the Court, was in no sense contemplated by the Act a *bona fide* applicant, and should be refused.”

In commenting on this case, the *Daily Post* says:—

“Nobody, indeed, could be found to say that another public-house was wanted in that part of the town, and the Magistrates refused to grant the transfer. \* \* The matter came on again, the distinguished brewer meant to have a new place for the sale of his drink if money and quiet perseverance could do it. The Magistrates were more complaisant this time, and the transfer was granted by four votes to three. A grocer’s shop has been converted into a public-house against the will of everybody except one powerful brewer, and that under cover of the law.

\* \* If Grove-street and Myrtle-street cannot resist the determined raid of a brewer upon their respectability and quietness, what chance have the denizens of obscure and squalid streets in South Toxteth or Scotland Wards. The fact is, that *the whole question of transfers* asks for a reconsideration and a reform, which no Government that lives in fear of brewers and publicans dare give to it. It is entirely anomalous that a license to sell, which, upon the face of it, is granted for twelve months, should become an appendage to a particular house, for which a valuable consideration is paid. It is still more absurd that so long as the transparent fiction of taking into account the wants of the neighbourhood is kept up it should be possible to transfer licenses from places where railway stations and



warehouses are pushing out population to newly-built regions, the inhabitants of which protest in vain against the invasion."

The following is the Memorial sent by the Association to the Magistrates of Liverpool on the subject of Transfers :—

"GENTLEMEN,—It is felt that the efforts put forth by clergymen, ministers, merchants, and others deeply interested in the welfare of Liverpool, in reference in the suppression of intemperance, and which has led to open demonstrations against the renewal of old, and the granting of new, licenses, are neutralized and thwarted by the action taken on transfer days.

There is not the least intention of charging on your Worships the present deplorable condition of the town, but simply to call attention to certain facts.

It is obvious that the legitimate transfer of a license cannot be legally opposed; but it must be equally obvious that very many of the transfers are not made for the public good or convenience, but in the interests of the brewers of the town. At the last transfer day, prior to the annual licensing day, many of the houses whose occupiers had been fined during the year, were transferred to other men, that a *respectable* appearance might be presented on the full court day.

The List on the inside of this sheet is a record of the Transfers of Public-Houses in Liverpool during the past year, in cases where the house was transferred more than once. The names are taken from the daily papers and not the official records of the court—slight errors therefore may occur in some of the names, but sufficient will be gleaned from a perusal to show that the Magistrates in Transfer Sessions are, by reason of the artifices employed, made to ratify bargains between brewers and spirit merchants, and their servants employed at weekly wages. The two cases on the other side marked with an asterisk illustrate a most unfavourable condition of things—the house in Scotland-road was transferred four times. The house in Waterloo-road twice in six weeks—from Ravenscroft to Attwood, and from Attwood to Ravenscroft.

It is a well known fact, that the greater number of the men thus brought into the presence of the Transfer Magistrates are not *bona fide* tenants. The spirit, if not the letter of the 9 Geo. 4, c. 61, is set aside in the transactions, and the Magistrates of an important community like Liverpool made a vehicle to increase the money power and political interest of a few brewers; whilst, at the same time, it is known that the statements made by the applicants as to the tenancy, etc., is utterly false, many of them, if not all, having signed an agreement-form of some kind, to surrender immediate possession, and it is believed that in some cases even blank papers are so signed.

The number of transfers during the last licensing year, as taken from the papers, was :—

Houses transferred once	...	...	...	573
"	"	twice...	...	67
"	"	three times	...	13
"	"	four times	...	1

The long list of transfers does not reveal the whole of the unsatisfactory state of the case. The removal of worn-out or broken-down businesses, or those not paying, to new and rising neighbourhoods is a powerful means of vitalizing evil in our midst. The case of removal from Highfield-street to the corner of Cecil-street, Wavertree-road, is a striking instance of how the action taken by the Magistrates at the Annual Licensing Session may be frustrated at the Transfer Sessions, and is a powerful argument in favour of the Magistrates forming the Licensing Committee sitting on Transfer days.

The facilities for the endorsement of licenses between the Transfer days is fraught with great evil, and it is hoped that the Magistrates will not allow these matters to pass unchallenged."

The Memorial was accompanied by a list of all those Houses which had been transferred more than once in the year.

That the provisions of the Act under which the Magistrates grant Transfers and Removals may be brought fully under the consideration of our subscribers and friends, the 14th sec. of 9 Geo. IV. chap. 61, is here inserted :—

"And be it further enacted, that if any person duly licensed under this Act shall (before the expiration of such license) die, or shall be by sickness or other infirmity rendered incapable of keeping an inn, or shall become bankrupt, or shall take the benefit of any Act for the relief of insolvent debtors; or if any person so licensed, or the heirs, executors, administrators, or assigns of any person so licensed, shall remove from or yield up the possession of the house specified in such license; or if the occupier of any such house, being about to quit the same, shall have wilfully omitted or shall have neglected to apply at the general annual licensing meeting, or at any adjournment thereof, for a license to *continue* to sell excisable liquors by retail, to be drunk or consumed in such house or if any house, being kept as an inn, by any person duly licensed as aforesaid, shall be or be about to be pulled down or occupied under the provisions of any Act for the improvement of the highways or for any other public purpose, or shall be, by fire, tempest, or other unforeseen and unavoidable calamity, rendered unfit for the reception of travellers, and for the other legal purposes of an inn; it shall be lawful for the justices assembled as aforesaid at a special session holden under the authority of this Act for the division or place in which the house so kept or having been kept shall be situate, in any one of the above-mentioned cases, and in such cases only, to *grant* to the heirs, executors, or administrators of the person so dying, or to the assigns of such person becoming incapable of keeping an inn, or to the assignee or assignees of such bankrupt or insolvent, or to any new tenant or occupier of any house having so become unoccupied, or to any person to whom such heirs, executors, administrators, or assigns, shall by sale or otherwise have *bona fide* conveyed or otherwise made over his or their interest in the occupation and keeping of such house, a license to sell excisable liquors by retail, to be drunk or consumed in such house or the premises thereunto belonging; or to grant to the person whose house shall as aforesaid have been or shall be about to be pulled down or occupied for the improvement of the highways or for any other public purpose, or have become unfit for the reception of travellers, or for the other legal purposes of an inn, and who shall open and keep as an inn some other fit and convenient house, a license to sell excisable liquors by retail, to be drunk or consumed therein; provided always, that every such license shall continue in force only from the day on which it shall be granted until the fifth day of *April* or the tenth day of *October* then next ensuing, as the case may be: provided also, that every person intending to apply, in any of the above-mentioned cases, at any such special session, for a license to sell excisable liquors by retail, to be drunk or consumed in a house or premises thereunto belonging, in which excisable liquors *shall not have been sold by retail, to be drunk or consumed on the premises*, by virtue



of a license granted at the general annual licensing meeting next before such special session, shall on some one *Sunday* within the six weeks next before such special session, at some time between the hours of ten in the forenoon and of four in the afternoon, affix or cause to be affixed on the door of such house, and on the door of the church or chapel of the parish or place in which such house shall be situate, and where there shall be no church or chapel, on some other public and conspicuous place within such parish or place, such and the like notice as hereinbefore directed to be affixed by every person intending to apply at the general annual licensing meeting for a license to sell excisable liquors by retail, to be drunk or consumed in a house not theretofore kept as an inn, and shall in like manner serve copies of the said notice on one of the overseers of the poor and on one of the constables or other peace officers of such parish or place."

#### THE MAGISTRATES, TOWN COUNCIL, WATCH COMMITTEE, &c.

The administration of the Licensing Laws in Liverpool has so prominently forced itself upon the attention of the public, and your Executive taking an active interest in the subject, it will not be out of place in this report to give an account of what has occurred during 1875.

A Committee of Magistrates was appointed on the 15th October, 1874, to inquire into and report to the Bench upon the present mode of administering the Licensing Laws in Liverpool, especially in so far as such administration affects the question of any person holding or having a direct interest in more than one license. This Committee sat from time to time and received important evidence from police authorities, chaplains of gaols, ministers, employers of labour, brewers, and temperance men. The Committee brought their labours to a close by the publication of the following Report, presented to the magistrates on the day previous to the Annual Licensing Sessions.

"The Committee was appointed on the 15th October last, primarily with a view to enquire into and report upon the present mode of administering the Licensing Laws in Liverpool, especially in so far as such administration affects the question of any person holding or having a direct interest in more than one License; and on the 30th December last the scope of its enquiries was practically extended by the reference to it of a Memorial presented to the Magistrates by the Clergy and Ministers of religion. The duties thus entrusted to it have received the most careful attention, and after the collection of such evidence as was calculated to throw light on the subjects under consideration, the following report is respectfully submitted to the Bench of Magistrates:—

With regard to the question of any person holding or having a direct interest in more than one License, we find that practically it has been the rule not to grant more than one License to the same person, though it does not appear that there would be any illegality in doing so, and in some towns it is the practice; but we

also find that there are parties who have a direct interest in more than one License, inasmuch as several large Brewers and Spirit Merchants are the owners of a number of Public-Houses, Licenses for which are held by Managers, who are paid servants of the owners, and have no direct interest in the profits of the Trade. Such a system is one to which, in our opinion, legal exception cannot be taken; it has for some years prevailed in this town, and the difficulties of insisting upon *bona-fide* tenancy appear almost, if not altogether, insuperable. It will be in the recollection of the Bench, that the appointment of the Committee arose out of circumstances in which the propriety of the system was involved, and we have, therefore, taken special care to enquire,

1st.—As to the way in which houses Licensed to Managers are conducted as compared with others.

2nd.—Whether there is any difficulty in dealing with them in respect of offences against the Law.

From the evidence which has been laid before us, we come to the conclusion that such houses are quite as well conducted as others, and that the offences of Managers can be as readily and as severely dealt with as those committed by any other persons. If the system led necessarily to any inequality in the administration of the law, we should have no hesitation in condemning it; but if the Magistrates hearing cases will only treat the Manager as the *bona-fide* tenant or occupier, and inflict on him as such the penalty he may be found to have incurred, there will be no possible ground for asserting that the law has been in any way evaded. We are very strongly of opinion that this course should be rigidly adhered to.

If, however, the firm administration of the law by the Justices is to be effective in checking any of the evils inseparable from the traffic in intoxicating liquors, we are satisfied that more vigorous measures should be adopted to bring the offenders into Court. We feel bound to record our conviction that the present system of inspection is, in some respects, practically inoperative. We are aware of the difficulties which surround this part of the question, and of the temptations to which officers are exposed, but we are of opinion that some system might be devised by which the restraints of efficient supervision might be brought to bear upon houses of a disorderly character, where it is manifest to the most casual observers of the state of certain parts of our town, that the law is systematically broken with impunity by the permission of drunkenness, by the sale of drink to persons who are already in a state of intoxication, and by allowing the premises to be the resort of persons of bad character.

We find that of 2,253 Houses licensed in the Borough, only 149 are used as Hotels or Inns, 87 as *bona-fide* Eating Houses, and 530 as nominally Eating as well as Drinking Houses, whilst 1,487 are for the supply of drink alone. It is, however, generally in the poorest and most crowded neighbourhoods that the greatest facilities for drink exist, and it is here, too, as also in the neighbourhood of the Sailors' Home, that there is the greatest necessity for Police supervision.

The sale of drink in brothels has been brought under our notice, and we recommend that more vigorous efforts should be made to repress this illicit trade, as well as the trade carried on in other unlicensed houses.

We have enquired into the working of Grocers' Licenses, and the evidence points to the fact that they are not abused, and that, so far, the evils which many anticipated have not arisen from them.

With regard to the removal of Licenses under the 14th Section of 9th Geo. 4th, cap. 61, we are of opinion that the law has very frequently been brought to bear upon cases to which, in our judgment, it was inapplicable, and that on many occasions it has in its application worked out a condition of things not contemplated by the Legislature.

Firstly, as to cases of removal on the ground of 'Fire, Tempest, or other unforeseen and unavoidable calamity,' having 'rendered any Licensed house'



unfit for the reception of Travellers, and for the other legal purposes of an Inn,' we think that removals have too often been obtained from neighbourhoods where Trade has disappeared to other localities, simply on proof of what may have been merely *avoidable* dilapidations; and we therefore recommend that in future all such applications should be most strictly inquired into, and that before they are heard in Court, the premises should be carefully examined by some competent person appointed for that purpose, on behalf of the Magistrates.

Of course it is not to be wondered at that the persons interested in these worn-out properties should be glad to avail themselves of any opportunity to convert an unfruitful and useless License into a valuable property; but we believe that the Section referred to was framed for the convenience of the Public, rather than for the benefit of the Publican. The powers contained in it can only be exercised at Transfer Sessions, and it seems clear to us that, if the public cease to require a licensed house in a given district, no claim is thereby acquired under it by the Licensee to a removal to another locality; under the Act, however, of 1872, Section 50, a distinct power is given to the Justices, assembled at the Annual Licensing Sessions, to remove a License from one part of a district to another; but this power is to be exercised at their discretion, as in the case of a new grant, as to which the Court of Queen's Bench decided on the 24th November, 1870, as follows:—

'The Justices must regard the well-being of the inhabitants in the exercise of their discretion. In granting or withholding a License, they must not only take into consideration the qualification of the person, and the suitableness of his house, but they must have regard to those other considerations, such as the nature of the locality and the number of houses already licensed, and all other things as to whether it is fit and proper for the interests of the public that an additional license should be granted.'

Secondly, as to cases of houses 'pulled,' or about to be '*pulled down, or occupied under the provisions of any Act for the improvement of the highways, or for any other public purpose,*' we are of opinion that whilst such removals are not only 'lawful,' (the Act even as to that is Permissive) but likewise expedient, and fair in the majority of cases; nevertheless, the 'some other fit and convenient house' to be licensed should clearly be situated, as nearly as may be, in the locality or neighbourhood where the original Licensed house stood, the substituted house being obviously intended, under the Act, to be for the accommodation of Travellers and others displaced and incommoded by the closing of the other.

Recent Legislation (already referred to) as to the removal of Licenses does not, as a matter of Law, bear upon or assist in the interpretation of this 14th Section, and should be dealt with upon its own merits separately. It may be a question worth considering as to how far it is ordinarily desirable to remove, at the Annual Licensing Sessions, an old worn-out License, not wanted, to a new neighbourhood, it being in the power of the Bench to grant a new License to such neighbourhood if it sees fit to do so. The tendency in regard to 'a Removal' is to hesitate less in granting it than is sometimes expedient; and such Removals go far to give to a License once granted an unhealthy and unnatural money value, which seems to strengthen rather than to weaken those vested interests which are so frequently put forward.

In order to secure uniformity of decisions, we think it would conduce to the public welfare if it could be arranged that the Magistrates composing the Licensing Committee should sit at Transfer Sessions.

We have learned that in some cases occasional Licenses have been granted by Justices out of Court; but such a practice is obviously inconvenient, as the Police could not have due notice thereof, besides being beyond the provisions of the Acts relating to such Licenses.

Our attention has been called to the practice of altering or enlarging licensed premises, in some cases by extensions to another street, without notice to, or

sanction by the Justices. We are of opinion that such a practice is most undesirable, and would recommend that in all such cases a renewal of the License should be withheld, unless the sanction of the Bench is in the first instance obtained.

We recommend also that steps be taken to induce the County Magistrates to assimilate the Sunday hours of opening and closing in the County to those in the Borough, as under the present arrangement the time for being open is, as regards Liverpool, practically half-an-hour in excess of what is by law allowed. As regards the encouragement of six days' Licenses sought for in the Memorial of the Ministers of religion, although we sympathise with their views, we do not see that the Magistrates have any power in the matter.

We found that a practice did prevail which, in our judgment, was unsatisfactory, namely, where Police Constables have, through drink, offended against the law, who, if not in the force, would have been charged before the Justices, their offences have been dealt with as against Police discipline, and penalties awarded in private upon Police authority, but we are glad to learn that this practice has been discontinued.

Theatrical Licenses involving, as they do, permission to sell drink, will require the careful consideration of the Bench, and it is desirable that they should be dealt with as a whole at the Special Sessions, in connection with this subject.

Thus far we have dealt only with matters coming within the scope of the existing law. It is probable that some time will elapse before any proposal for further alteration will be entertained; but, whenever the time comes, we would recommend the consideration of the following changes:—

1st.—Power to keep Public Houses closed to a later hour in the morning on week-days, and to further limit the hours of Sunday Trading.

2nd.—The extension of the 7th section of the Act of 1872, to Licensees supplying any intoxicating liquor to young persons under 16 years of age.

3rd.—The withdrawal of the power of appeal to the Quarter Sessions in cases of removal and transfer, and the assimilation of the Law in reference thereto to that affecting new grants in the Act of 1872.

4th.—That where applications for removal have been refused no renewed application should be allowed within a fixed period, and without due notice to the public, and that in all cases of application for removals, or new grants, provision be made for fuller notice being given to the public.

5th.—That the Imperial Annual Excise Charge for Licenses should be revised, so as to make large houses contribute according to their rating value, and that the fees charged upon Licenses should also be increased.

6th.—That the law at present in force concerning Games and Wagers should be amended so as to require that Licensed Victuallers, as well as all other persons, should require a License before keeping Billiard or Bagatelle Tables upon their premises for public use.

7th.—That Music and Dancing should not be allowed upon licensed premises, unless under special permission from the Bench.

JOHN PATTERSON,  
Chairman."

The Clerks to the Magistrates also furnished a Report, which was appended, and which will be found to contain much valuable information.

#### REPORT OF THE CLERKS TO THE JUSTICES.

"The Clerks to the Justices, having been requested by the Chairman of the Committee appointed on the 15th October, 1874, 'to enquire into and report to



the Bench upon the present mode of administering the licensing laws in Liverpool, especially in so far as such administration affects the question of any one person holding or having a direct interest in more than one grant,' have to report as follows:—

1st.—As to the practice which once prevailed of questioning applicants for licenses or transfers as to their being *bona fide* Tenants:—

It was formerly the practice of the Bench to require that all applicants should prove that they were the *bona fide* tenants of licensed premises, and applicants were always found prepared to testify on oath that they were in possession in that capacity; but it became known, notwithstanding, that they were in many cases merely the servants of others—although agreements and leases were put forward apparently recognising them as *bona fide* tenants. The magistrates found it to be almost impossible to ascertain the exact position in which these applicants stood to the owners of the houses, and after the question had been frequently considered by the Bench, it became the practice merely to require the applicant for a transfer to be resident on the premises with the landlord's written consent, and to give satisfactory references as to character. This latter practice has continued for many years, and from enquiries made from other large towns, seems to be the course adopted in some of them; but in others, the applicants are recognised only as *bona fide* tenants, although in some of the replies from the Justices' Clerks, it is stated that enquiry is not made too closely on that subject if the character of the applicant is unexceptionable.

The Clerks to the Justices, therefore, are not prepared to say that the licensing of servants or managers, if resident occupiers, is contrary to law, seeing that it becomes a matter of necessity to license them in the cases of Railway Refreshment Rooms, and Hotels owned by public companies.

2nd.—As to whether more than one license has been ostensibly granted to one person:—

It has been the rule of the Liverpool Bench not to allow a person to hold more than one license in his name; and the only instances in which this rule has been departed from have been where a licensee of one house has been appointed Executor or Trustee for some licensed person at another, and as such entitled to hold the license temporarily.

The Clerks to the Justices, however, are of opinion that there would be no illegality in granting several licenses to the same person, provided he exercised sufficient supervision over the management of them.

It is already the practice in some towns to allow several licenses to the same person.

3rd.—Having been requested to give an opinion upon the meaning of the words 'Inn, Alehouse, or Victualling House,' as mentioned in the Licensing Act of 1828, 9 Geo. IV., c. 61, it will only be necessary to refer to the interpretation clause, sec. 37 of that Act, wherein those words are to be deemed to include 'all houses in which shall be sold by retail any Exciseable Liquor to be drunk or consumed on the premises.'

4th.—Under sec. 14 of the Act of 1828, as to whether the expression 'keeping' an Inn is not more than occupancy by a servant, and as to the effect of the further words of the same section 'to any person to whom such Heirs, etc., shall, by sale or otherwise, have *bona fide* conveyed or made over their interest in the *occupation* and keeping of such house,' and whether these words do not convey that the law requires the man licensed to have the direct beneficial interest in the keeping of the house as well as to be technically the occupier? The Clerks to the Justices are of opinion that some distinction between the word 'tenant' and the word 'occupier' was contemplated, and no doubt this distinction has induced Benches of Magistrates to place a wider construction upon the law, and to grant and transfer licenses to managers under the head of 'occupiers' within the meaning of the section, if actually residing on the premises.

The view of licensing managers seems also to have been specially recognized by the Government Licensing Bill of 1871, wherein several clauses appear for the express purpose of licensing respectable managers, and although that Bill did not become law, it serves to shew the intention of Mr. Bruce, the then Home Secretary, and other Members of the Government, on the subject.

5th.—As to the meaning of the words in the 14th section of the Act of 1828, ‘Licensee incapable of keeping an Inn.’

This expression clearly refers to physical incapacity on the part of the person holding the license, and not to his status as holder or otherwise of the license, the words of the section being ‘any person who shall die, or be by sickness or other *infirmity* rendered *incapable* of keeping an Inn.’

6th.—As to the effect of the further words of the 14th section of the Act of 1828, ‘to any person to whom such Heirs, etc., shall, by sale or otherwise, have *bona fide* conveyed or made over their interest in the occupation and keeping of such house,’ and whether these words do not convey that the law requires the person licensed to have the direct beneficial interest in the keeping of the house as well as to be technically the occupier:—

The Clerks to the Justices are of opinion that the words quoted refer only to the *bona fides* of the transfer of the license as between Heirs, Executors, Administrators, and Assigns, and some other person, and were only intended to prevent fraud or collusion in dealing with a license as part of a Bankrupt’s or deceased person’s estate.

7th.—As to whether there is any legal difference between the terms ‘real resident holder and occupier’ as mentioned in the Beer-House Act, 3 & 4 Vic, c. 61, and ‘tenant or occupier’ as mentioned in the 14th section of the 9 Geo. IV., c. 61:—

The Clerks to the Justices are of opinion that some difference was intended, or the words of the Act of Geo. IV. would probably have been re-enacted as regards Beer-Houses, and it must be remembered that the status of the Beer-shop is considered lower than that of the Inn, and, therefore, it is probable that the words ‘real resident holder and occupier’ were specially used in the Act to enforce the strictest personal superintendence of the licensee, who was required to be the person rated to the poor, and as actual tenant of the premises. It is not known upon what system the Excise authorities acted in granting Beer licenses before the year 1869, when they first came under the control of the Magistrates; and since that time it is believed that there have been very few applications for either grant or transfer of Beer licenses, except by persons deemed to come within the category of ‘real resident holders and occupiers,’ and it is supposed that the employment of servants or managers in Beer-Houses does not prevail to the same extent as in Public-Houses.

In conclusion, it may be observed that there does not appear to be any uniform course of administering the Licensing laws throughout the country, but it is submitted this is not to be wondered at, seeing that so much is still left to the discretion of Licensing Benchs, whether at Annual or Special Sessions, as to who are fit and proper persons to be licensed, and that so many statutes, or fragments of statutes, remain in force, and have to be regarded in adjudicating upon the multifarious applications which must necessarily come under the consideration of Licensing Justices in all large communities.”

ANDERTON & ELLIS,  
CLERKS TO THE JUSTICES

After a discussion on the Report, the following Resolutions were adopted:—

“That it is desirable that the Licensing Committee for the time being should sit at the Transfer Sessions.”



“That the application for removals by reason of fire, tempest, etc., under the Act George IV, shall not be heard unless a survey has been held before a competent person appointed by the magistrates for that purpose.”

One of our vice-presidents, Mr. A. Balfour, having submitted a Memorandum to the Town Council on the state of the town, the same was referred to the Watch Committee. We append the Memorandum and the Report as a valuable contribution to the enlightenment of public opinion in the town.

The Minutes of the Watch Committee contained the following report on drunkenness and crime in Liverpool, and the accompanying documents :—

“The Watch Committee beg to submit the following Report with regard to a communication dated 27th May, 1875 (referred to this Committee by the Council on the 2nd June, 1875), enclosing a Resolution passed at a Public Meeting on the 13th day of May, 1875, urging the Council to appoint ‘an adequate staff of Inspectors of public-houses and beer-houses, with a view to securing the observance of the laws relating to such houses, by laying informations against those who violate the same by permitting drunkenness, by harbouring thieves and prostitutes, or otherwise; or by any transgression of the Habitual Criminals’ Act as it affects public-houses’

2.—The Committee invited the attendance of Mr Alexander Balfour, who is a member of the Vigilance Committee appointed by the Public Meeting.

Mr. Balfour attended and made a statement of his views, which he afterwards embodied in a memorandum, a print of which accompanies this Report.

3.—In this memorandum great stress is laid upon the circumstance that there were 23,000 convictions for drunkenness and that ‘only three Publicans last year were convicted for selling drink improperly.’ In making this statement Mr Balfour is evidently mistaken, for the number of convictions against Publicans last year for improper conduct was 67.

4.—A very cursory examination of the subject will show that there must always be a great disproportion between the number of persons convicted of drunkenness and the number of Publicans convicted of permitting drunkenness. A person who is drunk in the street attracts the observation not only of the Policeman on ordinary duty but of all passers-by, and his conviction is almost a matter of certainty.

The difficulty in obtaining a conviction against a Publican for ‘permitting drunkenness’ arises from the necessity of proving that the person when served with drink showed such signs of drunkenness as would reasonably arrest the attention of the Publican. It is well known that, in many instances, drunkenness is not apparent until the person has got into the street.

5.—With regard to prostitutes, the law requires it to be proved that the licensed person knowingly permitted his premises to be ‘the habitual resort of or place of meeting of reputed prostitutes,’ and that he allowed them ‘to remain thereon longer than is necessary for the purpose of obtaining reasonable refreshment.’ The requisite proof in this case, as in that of permitting drunkenness, is very difficult to obtain.

6.—As to the statement, with regard to the arrests for drunkenness in the Borough, that ‘it is notorious that, had the police force been sufficient, the

number of convictions would have been more than double,' it seems only needful to remark that such a statement is as unwarranted as it is incapable of proof.

With regard to Mr. Balfour's recommendation that 40 Inspectors should be appointed at a salary of £300 a year each, which would entail a cost of £12,000 per annum, and that this number should be increased if found necessary, the Committee consider that independently of the large expenditure, a system of espionage would never be tolerated by the people and would cast a slur upon the honest trader, who ought not to be treated as a suspicious person.

7.—It will be observed that although Mr. Balfour made a special visit to the public-houses in the neighbourhood of the Sailors' Home, he was unable to give an instance of his having witnessed any violation of the law.

8.—The Committee, while they deeply lament the extent of drunkenness both here and throughout the country, believe there is no ground for the assertion that in respect of drunkenness the position of Liverpool is worse than that of other large towns. They consider the figures presented to the public are the result of a more stringent Police supervision than exists in other places.

9.—From the annexed report of the Head Constable it will be seen that a regular inspection of Public Houses is now conducted by two Inspectors in uniform and four Constables in plain clothes; and, further, that the ordinary Inspectors, numbering 36, are held responsible for the conduct of the Public Houses in their respective sections.

The Committee are desirous of strengthening the arrangements which have hitherto been carried out for securing additional supervision in certain localities where enticements of a nature so damaging to morality and proper order call for extra Police control, and, with this view, they have determined to supplement the present staff by the appointment of four Inspectors and two Constables, making in all six Inspectors and six Constables in plain clothes specially detailed for this duty.

(Signed) J. G. LIVINGSTON,  
CHAIRMAN.

31st August, 1875.

---

#### REPORT OF THE HEAD CONSTABLE.

The Head Constable has the honour to submit to the Watch Committee, in obedience to their order of the 14th inst., the following Report relative to Public House duty.

In the Public Returns for the Year ended on 29th September, 1874, the number of Public Houses doing business was 1,906, and Beer Houses 335. For the supervision of these, two Inspectors (in uniform) and four Constables (in plain clothes) have heretofore been specially detailed, it is their sole duty, except that they are occupied three or four days previous to each Transfer Session (every six weeks) for the purpose of making enquiries for the information of the Licensing Justices relative to the Applicants for Transfers, also before the Annual Licensing Meeting in August, these Inspectors are engaged about eight weeks in enquiring as to the character, etc., of Applicants for New Licenses, and the Sanitary arrangements of existing Licensed Houses. While engaged in these enquiries they are not accompanied by the Constables, who are merged in the general duty, and during the same periods the visiting Public Houses is discontinued, except on Saturday nights and Sundays.

The Head Constable deferentially proposes to the Watch Committee, for



their approval, that he should detail two Inspectors and four Constables in addition to the present staff engaged upon this duty.

Having regard to the fact that there are 36 Inspectors for the ordinary out-door duty, who have been held responsible for the conduct of the Public Houses upon their several sections, and who will now be further instructed to keep up a strict supervision by more frequent visits, he is of opinion that the above recommendation will be sufficient to do all the Police can to check the increase of drunkenness, so much deplored by all. He greatly fears no amount of Police supervision will materially reduce this evil, and that we must look to moral means as the only efficient ones by which any considerable improvement can be effected.

Annexed is a map showing the two localities in which drunkenness most prevails, with the relative number of convictions.

J. J. GREIG,

16th July, 1875.

HEAD CONSTABLE.

Return, for three years, of the public-houses and beer-houses in the Borough (given in three districts marked on the map A, B, and C), the number of Publicans and Beer-house Keepers convicted, also the number of convictions for drunkenness for the same period:—

Districts of the Borough.	PUBLIC-HOUSES.		BEER-HOUSES.		Drunkenness, including drunkenness and other offences. Number of Convictions.
	Number of Public-houses in the District.	Number of Publicans Convicted.	Number of Beer-houses in the District.	Number of Beersellers Convicted.	
1872					
A	342	15	31	13	6974
B	264	14	25	7	5638
C	1278	39	226	37	4733
	1884	68	282	57	17345
1873					
A	341	8	32	4	7276
B	263	8	25	—	5834
C	1308	11	260	14	4965
	1912	27	317	18	18075
1874					
A	329	8	32	10	8234
B	260	5	25	2	6657
C	1317	17	278	25	5589
	1906	30	335	37	20480

\*.\* For Comparative Statement in reference to Police Supervision of Public-houses, etc., see Appendix D.

MEMORANDUM ADDRESSED TO THE WATCH COMMITTEE BY  
MR. ALEXANDER BALFOUR.

24th June, 1875.

The agitation throughout the town in consequence of the brutal Murders in our public streets last December has happily resulted in a house-to-house canvass that has revealed startling and gratifying facts. The existence of corner-men of evil name and deeds, brought into prominent notice corner shops which these men frequent, and these corner shops, being in our Town almost invariably Public Houses, the character and condition of Public Houses have been made the subject of general investigation, and a closer scrutiny than ever of their origin and their tendency has been made of them.

I cannot but rejoice that the attention of all classes has been fastened on the existence and management of Public Houses as it never has been before, and their true character and tendency will no doubt for the future be better understood than hitherto. I could have wished greatly that the investigation, so far as it has gone, into the character and surveillance of Public Houses had redounded to the credit of our authorities, and I must express the honest regret I feel at being obliged to use any word respecting the procedure of our Magistrates, or the Watch Committee, except of approval. But the facts must be brought to light, and an honest judgment on these must be formed, and be expressed, however unpleasant the duty may be. The mind of the people of our town has now been ascertained, and it is declared *against* the abounding temptations to intemperance. Our authorities are bound to respect that expression of opinion and those wishes, and to take the necessary steps to have these abounding temptations diminished.

These temptations have been multiplied in Liverpool to such an extent as is, on all hands, admitted to be unjustifiable. Round the Liverpool Sailors' Home, where my own men are paid their wages, within a radius of 150 yards, the Magistrates have licensed forty-six Public Houses!!! Now, one would have thought that the Magistrates, both in their individual and corporate capacity, would have been anxious to have encouraged the establishment, near the Sailors' Home, only of places to promote temperance and sobriety and good conduct, and to have discountenanced every place of enticement to immorality and the unwary, but, instead of this, house after house has been licensed for the sale of spirits, in most of which prostitutes are allowed to entice seamen to their ruin, and at these houses not only is there drinking, but also music, and, in several of them, dancing.

As a Shipowner I feel bound to say, the Magistrates, in licensing such an undue number of Public houses round the Sailors' Home, and the Watch Committee, in leaving these Public Houses and Music Saloons practically uncontrolled, have betrayed the interests of my men, and I must also point out that we, as a firm, suffer grievous prejudice from the losses brought upon our seamen through these manifold temptations, as our men, instead of getting to their families with their money in their pockets, are entrapped in Public Houses where they, too often, spend all their hard-won earnings, and do not have a penny left for the purchase of their outfit for a new voyage.

I have made it my business to go through the forty-six Public Houses round the Sailors' Home, and can speak as to their condition from personal observation. I may here express my regret that our Magistrates and the Watch Committee do not themselves go periodically through the Public Houses throughout the Town, as they might then judge for themselves as to the manner in which they are conducted. This would surely be a reasonable course, seeing the Magistrates create Public Houses, and the Watch Committee are supposed to superintend them.



In addition to the black mark against the good name of Liverpool through drink and drinking, from the brutalities of last December, the attention of the nation has been drawn to the fact that last year there were 23,000 arrests here for drunkenness. This is far in excess of the rest of the kingdom. The arrests for drunkenness in Great Britain were in 1874 some 352,000 persons, and as Liverpool contains one-sixtieth of the population the proper proportion of drunkards would, but for exceptional circumstances, have been some 6,000 persons. But large enough as such a number of convictions for this crime would have been, the actual number amounted to 23,000, and it is notorious that, had the police force been sufficient, the number of convictions would have been more than double this, and as the cases of persons who get drunk at home, and who are taken afterwards to the police office, are so rare as to be almost unknown, we have the frightful fact before us that, more or less, about one-half of the whole of the offences committed in the Borough occur in Public Houses, which houses the Magistrates themselves have licensed. Alongside of this fact, the revelation has burst upon us, that whilst such a multitude of persons have become drunk in Public Houses, only *three* publicans last year were convicted for selling drink improperly!!! and the public may, with good reason, complain that not only have the magistrates licensed an undue number of Public Houses, but that it would appear as if they had instructed the police to wink at the infractions by the Publicans of the Licensing Laws, or that they refused to convict those Publicans charged with infractions of the law. But the allegation of the Watch Committee is that the Magistrates have no authority over the police, and that their duty is only to punish transgression, and that the supervision of the police and the control of Public Houses lies with the Watch Committee, and with them only. (N.B.—This separation of the office of punishing crime from control over its detection seems to be dangerous in the extreme and fraught with peril.) On all grounds it is important that Magistrates and Watch Committee should act together and as one man. It would seem reasonable that the Magistrates before granting a license to a Public House should have satisfied themselves that, for the enforcement of the penalties under the licensing and other Acts, the Watch Committee had provided an adequate staff of officers and inspectors for Public Houses throughout the town, and that the fullest provision existed for enforcing in these houses the provisions of the law. But, to the dismay of the well-disposed part of the citizens, the Magistrates have planted Public Houses broadcast, whilst the Watch Committee have made no provision whatever for securing that these should be either inspected or controlled!!!

On the contrary, whilst the penalties of the Licensing Act are explicit (Licensing Act, page 45), and of the Prevention of Crime Act equally so (Prevention of Crime, clause 10), I find the Watch Committee instruct the police *not to enter* a public house except when necessary in the discharge of their duties ('Instructions,' page 32\*); and the inspector must not enter *even a disorderly house* except in very urgent cases ('Instructions,' page 22†) So that in Liverpool the scandalous and shameful fact exists that whilst Magistrates have, in defiance of the protest and regardless of the appeal of the inhabitants, licensed Public Houses wholesale, the Watch Committee have, by express instructions to the police, prevented their being regulated or controlled according to law. Thus Public Houses have been allowed to become, not

---

\* "Whilst on duty, he is strictly prohibited from entering any Public, Beer, or other House, except when necessary in the discharge of his duty, and then, *if possible*, accompanied by another officer."

† "He must not, except in very urgent cases, enter either a Public, Beer, or disorderly House, without having a Police Constable with him, so that he may be provided with a witness as to the circumstances which called for his visit."

places (as the law intends) for needful refreshment, but largely nurseries of drunkenness and prostitution, and places where other crimes are hatched.

The present condition of matters is, I deeply grieve to say, fraught with disgrace to our authorities, and beyond all other evils is causing this most grave one, that the community feel distrust at the manner in which the authorities have dealt and are dealing with the besetting evil and crime of our town, and that the well-disposed inhabitants do not enjoy the protection which the law provides. If the Watch Committee could not safely entrust their police officers to enter Public Houses, surely it was reasonable that by some other class of servants they should have taken care that the penalties of the law against publicans were inflicted; but this has not been done. Not only are the penalties of the law not enforced, but no machinery exists whereby transgressors can be brought to justice!!!

Begging reference to the opinions and wishes of the inhabitants as expressed in the results of the house-to-house canvass, I wish to state that these may be considered to be the voice not of any one section of it, but of the entire community. The promoters of the canvass were anxious not to influence, but only to ascertain, opinion on the question submitted: and they are satisfied that a reliable and *bonâ fide* expression of the mind of the citizens has now been obtained on the four points submitted for their verdict. The whole of the voting papers are in existence, and can be referred to at any time when required. And I may venture to state that the results of the canvass have proved a surprise as well as a gratification to none more than to those who promoted it. It now has been ascertained that the views held and acted upon by the authorities respecting the license and control of Public Houses are completely antagonistic to those held by the people amongst whom these Public Houses have been placed; and whilst the injury done to the inhabitants by the Magistrates in having licensed such numbers of Public Houses can never now be wholly repaired it is requested that the Watch Committee will take adequate measures for removing the existing reproach that the penalties of the Licensing Act and the Prevention of Crime Act in Liverpool are almost a dead letter.

The want of effective control of Public Houses has brought the most frightful evils on the town, to deal with which adequately demands the energies of all the authorities; and it is surely proper that the Watch Committee and the Magistrates may confer together, and arrive at a common understanding regarding the measures necessary now to be employed for detecting and punishing those who transgress the Licensing and other Acts. It is plain that the most shameful extension of drinking premises has been allowed to occur by the Magistrates, and this scandalous evil must go on and increase if no officers exist who are empowered to bring offenders to justice. Those who have been considering the degraded condition of our town through intemperance, and the means for its removal, are of opinion that what we immediately require is an adequate staff of Inspectors, whose pay shall be such as to place them beyond the risk of contamination by Publicans. If these be retired officers from the Naval Service or the Army, it is believed that both efficiency and exemption from corruption would be secured. I speak the views of competent persons to judge when I say that the condition of our town demands that the appointment shall be made of 40 Inspectors, who shall be moved from district to district regularly. If these receive a salary of £300 a-year each it would amount to £12,000 per annum, or about one penny in the pound of the Annual Rental of the Borough. Should, however, 40 Inspectors prove inadequate to the duties of securing that the owners of Public Houses shall observe the law, then the number of Inspectors must be increased. As matters now exist the cost to the town of Police and Gaols is enormous and



wholly unjustifiable, seeing that, by energetic steps, effectual execution of the Habitual Criminals Act and of the Acts relating to Public Houses, crime would be prevented and a great saving effected of the sum merely expended now to punish crime. I cannot help saying that it is intolerable that the crime of causing people to become drunk, and of supplying drink to young children, should be committed every day with impunity by persons deriving pecuniary gain from the transaction, and that the whole weight of punishment should fall on the drunkard, who too often is merely the victim.

I ought not to conclude without expressing the gratification I feel that, as the result of an impartial canvass of the householders of Liverpool, 41,079 replies are given in favour of the effective control of Public Houses and Beer Houses by an adequate staff of Inspectors, against 6,633 who have expressed a contrary opinion; and it will be my hope that the Representatives of the Inhabitants may carry out the request so generally and so earnestly made.

The Town Clerk read the following letter:—

‘To His Worship the Mayor and the Council of the Borough of Liverpool.

Liverpool, August 17th, 1875.

Mr. Mayor and Gentlemen,

The attention of the Vigilance Committee having been called to the following extract from the minutes of the Town Council, of date August 4th, 1875, as reported in the journals,—‘The Head-Constable deferentially proposed to the Watch Committee for their approval that he should detail two inspectors and four constables in addition to the present staff engaged upon this duty. Having regard to the fact that there were 36 inspectors for the ordinary out-door duty who have been held responsible for the conduct of public houses upon the several sections, and who would be now further instructed to keep up a strict supervision by more frequent visits, the Head-Constable was of opinion that the above recommendation would be sufficient to do all that the police can to check the increase of drunkenness so much deplored by all,’—they desire to convey to you their strong conviction that the above proposal is quite insufficient to meet the urgency of the case. Crimes of violence, so frightfully prevalent, and so clearly connected with excessive drinking, sufficiently prove that numerous offences against the Licensing Acts are daily committed with impunity in this town.

In the recent house-to-house canvass more than 41,000 householders of the borough declared in favour of the ‘effective control of public-houses and beer-houses by an adequate supply of inspectors.’ The committee respectfully submit that the object contemplated by the householders could not possibly be accomplished by so limited and feeble a measure as that now under consideration. The 36 inspectors under the existing system are already taxed to the utmost, in the discharge of their ordinary duties; and there are obvious reasons why this special service should not be imposed upon them. There would, therefore, be only four inspectors, assisted by eight officers, available for the detection of offences under the Licensing Acts over the whole town, containing 2,241 houses licensed for the sale of drink. If we consider the wide area to be inspected, and the numerous houses in which every artifice will be used to defeat the efforts of the police, it must be obvious that close attention could not be given at more than very few points with the staff now proposed.

To make an impression upon the trade, by detecting and exposing, with a view to punishment, the constantly recurring breaches of the law, a much larger staff of inspectors is called for.

The Committee are glad to observe an increase in the number of informations against publicans for violations of the Licensing Laws; and they are convinced

that more active measures in this direction could not fail to have a deterrent effect; but this end can only be accomplished by a strong force of inspectors specially appointed for the duty.

The Committee further submit that public feeling on the subject of drunkenness and its attendant crimes in Liverpool has attained a depth and force which will not be satisfied without the earnest application of strong measures for their suppression. For this purpose the existing Law supplies powerful machinery in the Licensing Acts, and in the 'Act for the more Effectual Prevention of Crime,' which has not hitherto, as is believed, been put in force to any considerable extent in Liverpool. And there can be no doubt that a faithful application of the same would greatly diminish drunkenness and crime, and would lead to the suppression of many disorderly houses. It is obvious that for all this nothing short of a searching, vigorous, and intelligent inspection will suffice.

We remain, Mr. Mayor and Gentlemen,

Your obedient servants,

(Signed) { THOMAS MATHESON, Chairman,  
R. H. LUNDIE, Hon. Sec."

Mr. Alderman Livingston, Chairman of the Watch Committee: Mr. Mayor, I do not propose to enter largely upon this question, seeing that the report of the Watch Committee has been in the hands of the members of the Council for some time. I think that the town at large, and the members of the Council, will assume that the Watch Committee, as I hope every member of this community, deplores as deeply as any man—although he may consider himself specially constituted to do so—not only the drunkenness but also the crime which exists throughout the country. It is not desirable, I think, to enter upon the abstract question as to whether Liverpool should be marked out as standing prominent in this respect. I myself do not believe so ill of the 'good old town'; but there is sufficient to show that our best energies should be directed—and I believe they are directed—to the diminution of crime and drunkenness. The Watch Committee have thought it requisite that in their report one or two points should be replied to in the written communication which Mr. Balfour, by the privilege of this council, attended and read before the Committee, and which, as the chairman of that committee, in my place in the council I stated we should be most happy to receive and to consider. Mr. Mayor, we have considered the question in all its bearings. We have to thank the council for, from time to time, when in our judgment we thought the pay of the police inadequate, willingly granting an increase in it. Unfortunately we did not sufficiently gauge the price of labour; and it was only on the 15th of May this year we were enabled to increase the number of the force. Mr. Forwood's best energies were directed to this subject, but, whilst we fully appreciated the activity and the zeal of Mr. Forwood, I have to express my regret that his efforts were unavailing to increase our numbers. Prior to his action we were deficient 88 men, our force then being nominally 103 short of what I had the honour of asking the council on the 15th of May to supply. The council not only increased the pay in that month to 26s 8d. to begin with, but they also gave the Watch Committee their sanction to the raising of the nominal strength by 103. I have now the pleasure to announce that we have not only got that additional 100 but that we are now only five men short of our complement. (Hear. hear.) The council and the public at large will therefore see that we have latterly, at all events, been travelling in the right direction, and so soon as we had our force augmented we adopted a measure which had been in our minds for two previous years, and that was to increase our number of inspectors. We have done so and I hope the public will hereafter see the fruits of the course we have adopted. I shall not refer to the language of those gentlemen who have addressed not only the Watch



Committee but the magistrates. They have no doubt in their zeal exercised what they would call discretion; and I shall not make any further comment upon their proceedings or upon the Watch Committee's proceedings, but simply point to the fact and move the resolution which has been passed unanimously by the Watch Committee, and that is that the report be accepted.

MR. Hughes seconded the motion.

MR Balfour: Mr. Mayor, would you allow me before I enter upon the question now before the council, to express the sense of obligation I feel for the courtesy shown to me by the Watch Committee and by the chairman and vice-chairman; and I wish it to be understood that I would be most tardy in casting imputations upon any individual or saying one word except of respect and consideration for my colleagues. You have read, Mr. Mayor, the report of the Watch Committee and the recommendations that they make, and you will notice that the application for an adequate force of inspectors is refused by the committee principally on the three following grounds, namely:—

(a) On account of the expense;

(b) Because a system of espionage would never be tolerated by the people; and

(c) That it would cast a slur upon the honest trader.

Further, the committee's report expresses their great fear that no amount of police supervision will materially reduce the evil of drunkenness, and that we must look to 'moral means' as the only efficient ones by which any considerable improvement can be effected. The report concludes by stating that the Watch Committee have determined to increase their present staff of two inspectors and four constables by the appointment of four additional inspectors and two additional constables, making in all six inspectors and six constables for this special duty, and they say the 36 ordinary inspectors are now to be held responsible for the conduct of the public houses in their respective sections.

Mr. Alderman Livingston: Are held; not to be held. Please quote correctly.

Mr. Balfour: I will quote from the book of instructions, which expressly precludes inspectors from going into public-houses, and—

Mr. Alderman Livingston: Read it.

Mr. Balfour: Then I will say that the ordinary inspectors are held responsible for the conduct of the public-houses in their sections. With reference to the extraordinary palliations urged by the Watch Committee for the frightful condition of our community. I will only remark that the committee seem to make no account of the fact that at the last Assizes there were seven persons tried for murder, all of whose offences arose more or less directly from excessive drinking. I feel that if a record of agrarian crime equal to that had occurred in Ireland, the whole country would have been in agitation, and the Imperial Government would at once have interfered and placed the districts where it occurred under something like martial law. I wish to state that it is no pleasant task to me to refer to the proceedings of our authorities otherwise than in terms of commendation, but if our wrongs are to be redressed, the errors and omissions of those set over us must be brought to light, and our rights be made clearly known. What I state are facts which cannot be gainsaid, and upon which many of us feel very strongly indeed. The Watch Committee dwell upon the importance of moral means towards reducing drunkenness, but those with whom I act point out that moral means have no chance alongside of the immoral agencies which our authorities have planted and fostered in our town. The testimony of the Rev. C. M. Birrell is, that from his pulpit in the previously respectable neighbourhood of Pembroke-place he might see round him five public houses; and the public declaration of the Rev. W. H. M. H. Aitkin is, that he opened a large building for a Mission Hall in Gordon-street, but the magistrates

allowed a gin-palace to be opened hard by, and he doubted whether the gin-palace would not do more harm than all the good which the Mission Hall might be able to achieve. With such testimony before us what chance is there for the 300 or 400 churches and chapels in Liverpool, hindered as they are by the evil influences of the 2,300 public-houses and drinking shops which our magistrates have created? I am a farmer, and know very well that before I can get a field to produce a proper crop of good grain it is necessary for me to dig out the thistles and the thorns; and the very same thing holds good in the moral world. You can never give moral means any proper chance if you do not, while planting these, remove influences which you find to be immoral. The Watch Committee refer to the large expenditure which would be entailed upon the town by appointing a force of 40 inspectors. But this outlay, however large, is but a trifle in comparison with the injury of every kind entailed upon the town by the public houses that now exist. In Norway and Sweden the municipalities have the control of the sale of spirits and beer committed to them, and they charge the publicans, for the benefit of the towns, a license duty on their houses and a duty on the spirits they sell. The 122 publicans in Christiania, the capital of Norway, pay to the municipality, besides Imperial duties, the sum of about £8,500 a year. In the same proportion our 1,900 public houses in Liverpool would have paid to the town, had similar municipal duties been levied, £132,000 a year. But the Liverpool publican pays no special tax to the town towards the cost of police or anything else, our magistrates having been liberal enough to grant licenses without fee or tax of any kind from which the municipality derives any advantage. I by no means say that even £132,000 a year would in any way recoup to Liverpool the losses to the inhabitants caused by the existence of these 1,900 public houses, but the figures quoted may illustrate how small the sum of £12,000 a year is in comparison with the other losses sustained by this town through its public-houses. The Watch Committee refuse to appoint an adequate force of inspectors for the further reason that their doing so would cast a slur upon the honest trader. But this plea falls to the ground when it is shown, as I have already done to them, that tens of thousands of persons get drunk in public-houses although the publican holds his license on the condition of not permitting drunkenness. And the other point, that a system of espionage would never be tolerated by the people, is equally fallacious, because an overwhelming majority of the ratepayers demand it in the interests of good order. In their interests surely it is the duty of the Watch Committee to provide adequately against infractions of the law, irrespective of the wishes of those who, unhappily, have become influenced by the evil against which we contend. The charges against the Watch Committee in the memorandum placed before them were—

That whilst the number of public-houses was excessive they were practically uninspected and uncontrolled.

(a) Not only were infractions of the licensing and other laws not punished; but

(b) There was no machinery in existence for detecting crime committed in these houses, and consequently no punishment. The police were, by express instructions, forbidden to enter them.

Mr. Alderman Livingston: No, No.

Mr. Balfour: In order still more clearly to show how completely the interests of the well disposed portion of the community have been neglected by the Watch Committee, I have the painful duty of pointing out that the book of 'Instructions' last issued to the police force is dated 1867. Since that time a most important Act of Parliament, called 'The Prevention of Crime Act,' was passed in 1871, and we have had the Licensing Acts passed of 1872 and 1874, which give the police very strong powers against public-houses that are the resort



of thieves, and against publicans who keep disorderly houses. Not one word regarding these Acts is said, or could be said, to the Liverpool police, who are left as if no such Acts of Parliament had any existence. That the injury done to the town of Liverpool by this neglect of the Watch Committee may be appreciated, I have to point out that the Magistrates of Luton, in Bedfordshire, through the rigorous infliction of the penalties in the Habitual Criminals and the Licensing Acts, have reduced the public-houses there by one-fifth in the space of two or three years, and the total number of offences against the law by one-half. The actual figures are as follows:—In the Luton Division of the County of Bedford the number of committals has been reduced from 257 in the year ending September, 1869, to 73 in the year ending September, 1871. At the former period there were 226 beer and public-houses in the district, at the latter 188, one having been opened and 39 closed. No reduction in the number of licenses by their forfeiture from infractions of the law has taken place in Liverpool at all, while drunkenness increases at a rate that is appalling. The proposal of the Watch Committee for appointing four additional inspectors and two additional constables, while it to a certain extent acknowledges the necessity of active supervision, cannot be accepted as in any sense adequate to the work required to be done. The extent of the town renders it impossible for such a slender staff to maintain a watchful eye over the houses whose trade is in the very nature of it accompanied by so much peril. And I am most anxious that the measures now to be taken shall be such as to commend themselves to all respectable and intelligent members of this community. The suggestion of making the 36 ordinary inspectors responsible for the—

Mr. Alderman Livingston: They have always been so.

Mr. Balfour: The making of the 36 ordinary inspectors responsible for the conduct of public-houses, besides their present duties, is valueless, because I have here in my hand a book of instructions, and that book says 'that an inspector must not, except in very urgent cases, enter either a public, beer, or disorderly house, without having a police constable with him, so that he may be prepared with a witness. (Hear, hear) Then I shall say that the duties of the inspectors are not increased by what has been done now; but no doubt their duties, which are not connected with the inspection of public-houses, fully occupy their time. I do trust this Council may see the importance of our having an adequate staff of inspectors for public-houses, so as to leave the ratepayers satisfied that the licensing and other laws are respected in this town; and it is further of importance that the public shall be assured that the Magistrates concur in the recommendations of the Watch Committee, whatever they may be, so that there may be the fullest co-operation between the Watch Committee who detect and the Magistrates who punish crime. I do most fervently desire that the authorities of Liverpool shall deal with the unparalleled condition of our town through drunkenness, as the greatness of the evil demands, and now, when we to some degree apprehend its extent, that we shall apply remedies in due proportion to the exigencies of the case. I beg leave to move as an amendment 'That the report be referred back to the Watch Committee, with a request that they will confer with the Borough Justices on the subject.'

Mr. Holder: I rise to second the amendment. Although I rise to second Mr. Balfour's amendment I question very much whether he has taken a judicious course with the subject, bearing in mind his original motion. So far as I understand the question, he brought this subject before the Council in January last, and asked the Watch Committee to report with regard to the inspection and control of public-houses, and the measures which should be adopted for carrying out the same. The Watch Committee have had this matter under consideration, and they have brought up their report, which, allow me to say in passing, in my opinion, is not a very dignified document. However, they have recommended an increased number of inspectors to supervise these public-houses. Now, I am not

going to make a long speech about drunkenness and crime. I am certain of this, that every member of the Watch Committee and of this Council will do all that lies in their power to mitigate those great evils for which our town has become so notorious. The Watch Committee have admitted the principle for which Mr. Balfour is contending, and they have recommended an increased number of inspectors. Now the proper course to my mind for Mr. Balfour to have pursued would have been this, and I could have readily supported him, that he would move an amendment asking for a moderate addition to what the Watch Committee recommended, and I have no doubt that he would have had many supporters in the Council. I rise to second the amendment on this ground, that the Magistrates on this question should not be ignored. They, equally with the Watch Committee, are responsible for the good order and good government of the town, and, therefore, although they may have nothing to do with the payment of these additional inspectors, they should have been consulted on the subject. It would have been a right and courteous thing for the members of the Watch Committee to have had a conference with the Bench, and, probably, they might have come to some joint resolution, which would have been acceptable not only to this Council but to the ratepayers at large. It is on this ground that I second the amendment.

Mr. W. B. Forwood: We all give Mr. Balfour credit for sincerity, and I believe he has done good. At the same time, I think he has made some statements which were not justified. He tells us that the Watch Committee, which is composed of gentlemen as anxious to do away with the evil of drunkenness as Mr. Balfour, and equally anxious to maintain the good credit of our town, have offered some palliatives for the drunkenness of Liverpool. I think Mr. Balfour will, on reflection, see that that statement is not justified; and I hope that before we take a vote he will withdraw it. I do not think that through the report there is such a thing as an attempt to palliate the crime of drunkenness. Again, Mr. Balfour charges the magistrates with having planted immoral agencies around certain places of worship. I am quite sure that Mr. Balfour will, on reflection, see that that statement is not true. The Watch Committee are as desirous of not hindering the work of places of worship as any one, and the magistrates have granted licenses according to the laws. I sympathise with Mr. Balfour in this matter, but I hope that upon consideration he will withdraw what I think rather offensive statements. For my own part, I do not see that we can have much objection to the amendment; but I think it would be almost better to let the proposed alterations be made, and give the new arrangement a trial for six or twelve months. Let us see what is done by this additional inspection, and then, if the town is not satisfied with what the Watch Committee have done, it will be a very easy matter for them to have a conference with the magistrates, and devise some other means of bringing about that which we all so much desire. I wish before sitting down to express my regret that the press and some people have been pleased to call the increased strictness of the police a 'raid on publicans.' I look upon the publican as a respectable tradesman, and it is most unfortunate and likely to deter us in the good work we are now upon, that the press of this town should look upon this as a raid upon public-houses. Spoken of in that way, it seemed like a persecution. Nothing is detested more by Englishmen than persecution; and nothing would be further from the thoughts of myself or any other member of the Watch Committee than that any class of people in this town should be persecuted. (Hear, hear.) We have simply to carry out the law of the land and the wishes of this Council, and I am quite sure that the Watch Committee will not go beyond that.

Mr. Whitley: I should be sorry to allow this discussion to pass without stating the views I hold upon a subject which is of vast importance to the town of Liverpool. I thank Mr. Balfour for the interest he has taken in this subject, because, whatever our differences and our views may be, we must all accord to Mr. Balfour—and I am sure I do so most willingly—credit for perfect sincerity.



(Hear, hear.) At the same time we here and in every place have to consider not what we should desire to see, but what is practicable. The licensing laws are the laws not of Liverpool but of this country ; and I think it must be obvious to all of us that Mr. Balfour has been rather suggesting what he thinks ought to have been done than what is practicable under present circumstances. (Hear, hear.) It is all very well to speak of the laws of Sweden and Norway, but they have no practical bearing upon the state of things existing in this country. I may, however, remark in passing that I believe there is no country in the world where spirit drinking is carried on to such an extent as in Sweden. With regard to the report presented to us by the Watch Committee, I feel that a great responsibility rests upon that Committee, and I thoroughly believe, as Mr. Forwood has said, that there is no member of it who is not as anxious to conserve and to do all that he can to promote the social and moral welfare of Liverpool as Mr. Balfour himself. Upon this question I think we are all agreed, but the difficulty is to carry out the law in a spirit of fairness to those who are engaged in a legitimate trade, and do not go beyond the letter of the law by which they are bound. Now, in regard to the state of things in Liverpool, I am not one of those who are always getting up to decry my native town, and I think, Mr. Mayor, I may claim to have as deep an interest in the welfare of the town as gentlemen coming from different parts of the world and locating themselves here for a short time. (Applause.) I will yield to no man in the desire to see Liverpool prosperous and great, and to see the inhabitants raised in the social scale ; but I cannot believe that we shall attain this end by simply declaiming against the vice of Liverpool. Though I lament with many around me the increase of public-houses in Liverpool, I believe that in regard to their number in proportion to the population a mistaken impression is prevalent. I was astonished to see in *The Times* of yesterday a fact which I am sure is not known to this Council. It is that in every town, with the exception of some metropolitan boroughs, and with the exception of Leeds, public-houses, in proportion to the population, are far more numerous than in Liverpool. That is a fact stated upon the returns moved for by Mr. John Bright and presented to the House of Commons. Then, with regard to our social state in Liverpool : perhaps there are few gentlemen in this chamber who have a more intimate personal acquaintance with the social condition of Liverpool than myself. The state of our social life is not to be ascertained by public speeches, or by occasionally attending tea parties. Our social condition is to be ascertained by a constant, persevering desire to fathom the very bottom of it ; and I am ready to state as the result of practical acquaintance that there is a very decided improvement in the social aspect of Liverpool at the present time. The other day I heard a fact stated which is very significant, and which shows a state of things which has been unparalleled in former years. It was that of all the carters connected with the Midland Railway Company in Liverpool after Christmas-day and Good Friday last not one was away from work from drunkenness. In years gone by it was difficult to get men to return to work after intervals of that kind. That statement was confirmed by all the master carters in Liverpool. And I must say that in every district in the town with which I am acquainted there are bands of working men, increasing in numbers largely, who are doing all they can to raise themselves in the social scale, and also to raise their fellow-workmen. Liverpool is in an exceptional position ; and it is idle to compare it with the large inland towns. We have a population to deal with of a character different from that of any other town in England, perhaps. We have a migratory population composed of persons from many other countries, who, passing through Liverpool, unfortunately contribute to our drunkenness. We all know the proneness to intoxication on the part of sailors ; and these two classes form a large proportion of our drunkards. But there is another difficulty, and I don't know how to solve it. I am glad to see here gentlemen who take a deep personal interest in the welfare of the large Roman Catholic population of the town. There is no doubt that the

poverty of this class, and the manner in which they are crowded together, contribute very greatly to the drunkenness of Liverpool. I am sure that in many cases the members of the Church of Rome do all that they can to raise the population. At the same time they are so crowded together, and they are so poor, that the difficulties in the way of an improvement in their condition are very great indeed. Let us try by every moral and by every social means to raise the degradation of the lower classes of our town. I believe with the report that social and moral means are far better than any legislative enactments. But when I speak of social and moral means, I mean close individual contact, as far as possible, with the class we wish to elevate. It is not by mass meetings, or great crowds of people, that you will raise or elevate the working people. It must be by showing constantly interest in their welfare; by not only meeting them on special occasions, but by congregating them in evening schools and gatherings of that kind, of which I can say from personal experience the working classes are glad to avail themselves of. But let not one or two men bear the burden of this work. Let those who are so anxious for the moral and social elevation of Liverpool engage in work of this kind, meeting men by forties and fifties in schools, and showing a deep personal interest in them. This will do far more to raise the tone of Liverpool than any legislative enactments. Let us believe that we are all animated by one great desire to improve the moral condition of Liverpool; but let us beware whether in the endeavour to do so we revert to measures which for a time may appear to be successful, but go beyond the law, and may raise up, consequently, a feeling on the part of Englishmen that their rights are invaded, and so increase the difficulties we desire to remove, and fail in our efforts. I believe the Committee have presented a wise report before us. I hope and trust the Council will adopt that report, and I am quite sure I am expressing the views of the Watch Committee when I say that they will be very glad at any time to have a conference with the Magistrates if the Magistrates desire it. It would be a reflection upon the Watch Committee to send the report back; and I am sure from what I know of the Watch Committee that they will be ready to meet the Magistrates and confer with them upon a question so greatly affecting the welfare of the town. (Applause.)

Mr. Picton; I am sorry, Mr. Mayor, to prolong the discussion, but there are one or two aspects of the subject to which I should like to call the attention of the Council. First, let me say that I perfectly agree with what has fallen from Mr. Whitley with reference to the motion of Mr. Balfour. I think it would be well to separate it. The resolution of Mr. Balfour is that the report be referred back to the Watch Committee, with a request that it will confer with the borough magistrates. I agree that referring the report back would imply a slur upon the committee, which I do not think is desirable. At the same time, I think that a conference between the borough justices and the Watch Committee is extremely desirable. If Mr. Balfour would omit the first part of his motion—I do not think any object would be served by referring the report back—I think probably the Council might agree to the other part (“No, no.”) I cannot say; but after the remarks of Mr. Whitley, there seemed to me to be a feeling that it would be desirable. There is, however, a wider question to which I should like to call the attention of the Council. Liverpool appears to have earned a very bad name in regard to drunkenness and public-houses, and the town is pointed at with scorn. So far as I can see, from the statement attached to the report of the Watch Committee, and which I have no doubt is compiled from official sources, the case is not by any means such as has been represented. It appears that there are 1,906 public-houses in Liverpool. In London, in the metropolitan district, there are 6,912, or about four times the number of public-houses there are in Liverpool. Now, let us see how the number of informations laid compare. In Liverpool, during the year ended September, 1874, 69 informations were laid. In London, in the same period, 182 informations were laid. If the proportion of informations



has anything to do with the number of public-houses, there ought to be four times the number laid in London that there are in Liverpool, which would make the number in London about 280, whereas it was only 180. This shows, at all events, that the police have been quite as much alive to the subject in Liverpool as in the metropolis. Let us see how the numbers fined compare. In Liverpool 30 were fined, against 104 in London, whilst there ought to be 120 fined in London. If we take the beerhouses, we find that in London there are 11 times as many as there are in Liverpool. In Liverpool the number of informations laid against beerhouse-keepers was 51; if the number of informations in London were in the same proportion as in Liverpool, they would number 550, whereas they were only 124. If you take the number of beerhouse-keepers fined in Liverpool it was 37, and in London there ought to have been 400, whilst there were only 86. Something similar might be shown in reference to the other towns mentioned in the return; but London, being the great centre of population, I confine myself to it. What I have shown as regards London does not bear out the charge of utter want of attention with which the Liverpool police are charged. It may be said that if the police in London neglect their duty that was no reason for the Liverpool police neglecting theirs. But in London more public attention is concentrated upon the management of the police than every town can have. It is the seat of Government, and it is only fair that the police affairs should be administered with something like propriety and decision. Now, another point: a great deal is said by Mr. Balfour about the necessity for having a separate staff of inspectors, large in number, for looking after public-houses. Well, the same thing would apply to other towns; but I don't find in the list that there is any town in the kingdom where there is a set of inspectors told off for this duty and no other. It is not so in London, in Manchester, in Birmingham, or in Glasgow. What is said about the inspection in Manchester is that it is done by constables generally, but occasionally a sergeant may be employed, always in plain clothes. 'The divisional superintendents (it is said) select men of their divisions for this duty, and they change them from time to time when they consider it desirable to do so.' Then it is added, 'They perform the ordinary duty of their rank when not specially engaged in public and beer-house duty; they receive the pay of their rank, and nothing more.' The same thing is said in regard to Birmingham. 'Officers in plain clothes are sent out on Sundays to visit public-houses; at other times, they perform ordinary police duty.' That is adopted in London also. 'The inspectors, sergeants, and constables on ordinary duty have the supervision of all licensed premises, and make all enquiries as to the character of applicants for new licenses or for transfers. The inspection of houses is not restricted to any day, but more frequent visits are made by inspectors and sergeants on Sunday than on any other day.' I really think there are many serious objections to having a distinct staff of police told off for particular duty. It would be very much better that the inspection of the public-houses should form a part of the ordinary business of the police inspectors and the police constables, and with the mode adopted in Manchester, where the men are selected from time to time and changed from time to time, which has always the effect of preventing collusion or corruption, it might be worked with great advantage. If inspectors are appointed for this work in any great number they would have nothing else but this to do, and it is difficult to see how they could find work to fill up their time, ranging about from one public-house to another. They are fallible like other men, and I think there would be a great prospect of their being corrupted, and occasionally, perhaps, not answering the purpose for which they are appointed. I hope I shall not be misunderstood. I want a more thorough inspection carried out, and it shows what can be done by what has taken place in Liverpool. Whatever be the cause, there could be no question that there has been a great deal of increased vigour and attention paid to the subject of late, as is evinced by the number of informations laid at the Police Court. Carry that out, and let the police authorities be

stimulated to increased vigour, seeing that the eyes of the town are opened, though I feel that the work will be very much better done if it was made general to the police force as in London and other towns. I submit these views respectfully. I believe the Watch Committee are in earnest, and wish to do the best they can for the good of the town. It is quite true that every committee gets into a rut and a groove, and don't like to be disturbed by any outward pressure. We are all subject to that ; we cannot help it. And we must have public opinion brought to bear upon us. If what I suggest were done, and a conference were to take place between the magistrates, something would be adopted which might be for the benefit of the town generally.

Mr. Hughes: In considering this question of drunkenness and crime one matter ought to be brought under the notice of the Council. It is, that at the interview Mr. Balfour had with the Watch Committee, he gave us a lucid account of various visits he made, on separate nights, to public-houses ; but he failed to show, in any one instance, that there had been any disorder or want of attention on the part of the police in any way. The committee, in dealing with this question felt that, in the first instance, they ought to consult their head constable. He is a gentleman who has been long connected with the town, and I believe has the confidence of the people. His suggestion was that with the force he then had the duty was being efficiently discharged. But in discussing the question generally, it occurred to the committee that there were certain buildings, such as the Sailors' Home, round which there was a large concourse of people frequently, and it was with a view of having extra vigilance at those particular quarters that the committee came to the resolution of supplementing the force by these additional inspectors and constables. I think Mr. Holder has fallen into a mistake in assuming that the committee have admitted any principle whatever, except that the work throughout has been faithfully and efficiently discharged. We have at all times been quite willing and ready, if the suggestion had emanated from the bench of magistrates, to hold a conference with them, though I am not sure that that is the correct way, because the bench of magistrates are the people who create these licenses, and still, after all, are the people who are to be the judges, if there is any offence committed. It is an anomalous position, and I am not quite sure whether they are the proper tribunal to take this up. But as a member of the Watch Committee, I should be very glad indeed to discuss this question with the magistrates, and I am sure the chairman would afford every facility ; but don't send us there tied hand and glove. Surely you can trust us to do our duty faithfully ; and if the magistrates, through their clerk, will communicate with the Watch Committee, I have no doubt the Watch Committee will be prepared to meet them, and to discuss the question upon most friendly terms. There is another question. I do not know what Mr. Balfour meant by his reference to Norway. I thought Mr. Balfour was rather an advocate for doing away with the drink and drinking altogether ; but I gather from his remarks that it was only a question of price ; that if the people contributed to the local burdens in return for their licenses, of course he was quite willing that they should have them. (Laughter). I think that, generally, the business of a publican in Liverpool is carried on in a very creditable and respectable way. The committee had submitted to them maps of Liverpool, and what the committee asked Major Greig to do was this—show us where are the sources of these convictions week after week, and just try to deal with those. We found that from the lower parts the same people came up week after week, and instructions were given that the particular districts from which they came should be watched. Fair play is always a principle respected amongst Englishmen, and I am quite sure this Council would not wish that the Watch Committee, in the exercise of its functions, should give any arbitrary directions, either to the head constable or to the police, to tyrannise in any way over a legitimate and proper trade. (Hear, hear). I do not think this amendment ought to have been suggested at all. If Mr. Balfour has been asked by the



magistrates to come here and make this suggestion, if he had communicated with the chairman, I have no doubt the chairman would have been very glad to discuss the question. I hope, therefore, you will leave the question an open one, and if the magistrates are anxious that the subject should be discussed, and will communicate with the committee in the ordinary way, I have no doubt the committee will meet them.

Mr. Balfour: I am satisfied with the discussion, and I wish to withdraw the resolution. (Cries of 'No, no.')

Mr. Alderman Livingston: I only desire to say this, that I was extremely startled when I saw the resolution on the paper which Mr. Balfour has proposed—(cries of 'Withdrawn')—because the Watch Committee were most willing to receive him, and to discuss any question he desired to bring before them. If the magistrates of Liverpool desire to communicate with the Watch Committee, does any man in reason suppose that the Watch Committee would not cheerfully accept any proposal coming from such a body of gentlemen?

Mr. Forwood: Is it the pleasure of the Council to allow it to be withdrawn? (Cries of 'No, no,' and 'Yes, yes.')

Mr. Yates: It would be rather an ungenerous proceeding not to allow the amendment to be withdrawn. (Hear, hear.)

Mr. Alderman Livingston: I hope the Council will call on Mr. Balfour to withdraw it.

The Mayor: Is it your pleasure that the amendment should be withdrawn? (Cries of 'Yes.')

The amendment was then withdrawn.

## THE COUNCIL AND THE LEGISLATURE.

At a subsequent stage of the proceedings,

Mr. Balfour rose to move a resolution of which he had given notice. He said: I shall not allude to the painful circumstances under which a canvass of the town took place this last spring, further than to say that it is a matter of thankfulness to have now ascertained that the opinions of the people in this town in favour of the closing of public-houses on Sundays is unchanged since the time when it was previously tested some years ago. I may recall to the minds of the Council that at the previous canvass of the householders of the borough the returns were as follows;— from 60,000 returns

6,400 were for closing on Sundays, except for two hours.

3,330 for leaving the law unchanged, and

44,449 for total and complete closing.

The results of the present canvass are, that from 54,893 returns we have got the following:—

8,542 persons vote against entire Sunday closing, and

44,061 vote in favour of entire Sunday closing.

The number of voters on the municipal register at present being 68,879 While the duty of abstaining from labour on Sunday must ever rest on obedience to the Divine command, it is interesting to find that the mind of the great bulk of our people is right on this question, notwithstanding the existence of the present bad law which allows public-houses to be opened. Again and again has it been found that working men in Liverpool desire public-houses to be shut, and this notwithstanding the evil influences that so prevail amongst working men here. In Liverpool the opening of public-houses on Sunday is attended with most grievous evils. During the present summer we have had frequently more than 300 drunken cases on Monday on the books of the Police Office, and as these persons get drunk in public houses and not at their own houses we may well stand appalled at the amount of recorded drunkenness thus caused on

Saturday night and Sunday, besides all the unrecorded drunkenness, with its attendant misery and sorrow. From a return by the head constable, dated the 11th of last November, just when the new Licenensig Act had been in operation five weeks, it was found that the increase in the hours of drinking on Sundays, from five hours as before to six hours now, led to an increase of drunken cases as follows:—

On five Sundays of 1873 there were 206 drunkards.

On five Sundays of 1874 there were 241 drunkards.

Or an increase of 35 cases, being 17 per cent. But taking the arrests on Sunday proper—that is, from six a.m. on Sunday to six a.m. on Monday, during these five weeks we had the following results:—In 1873 there were 93 persons arrested, against, in 1874, 149, or an increase of 56 persons, or 60 per cent. Thus we see that the operation of the new Act, as far as Liverpool is concerned, in the extension of the drinking hours on Sunday, is pernicious, and only pernicious. We have no figures to go upon to show what the arrests in Liverpool on Sundays for drunkenness would be were public-houses all closed. No such blissful era has ever yet occurred in Liverpool in all its past history. Allow me to compare the drunkenness in Glasgow, where the public-houses are closed on Sundays, with the drunkenness in Liverpool.

In Glasgow, in October, 1873, the average number of arrests of disorderly persons on week-days was 61, and of drunk and incapables 115; in all 176. The average number of persons arrested between 6 a.m. on Sunday and 6 a.m. on Monday during the same period was only 26 disorderlies and 16 drunk and incapables in Glasgow in 1873, against 149 persons in Liverpool the following year.

Take the case of Edinburgh, and I quote the words of the late Lord Provost of the city:—‘Whereas, a few years ago the Edinburgh prison was crowded, and £12,000 voted for an enlargement of it, now (after the passing of the Act closing public-houses on Sundays) it was nearly empty. The enlargement of the prison was delayed, and notwithstanding the increase of the population in Edinburgh, it has never been proceeded with.’

The condition of Liverpool gets worse and worse, and has become, in this matter of drunkenness, perfectly appalling. Comparing our condition with London what do I find? I now hold in my hand the report of the Commissioners of Police of the metropolis for the year 1874. Colonel Henderson reports as follows:—‘The total number of persons arrested by the police during the year was 67,703, being a decrease of 6,154 persons, as compared with the preceding year. The chief items of decrease are among the drunk and disorderly characters, which were 26,155, against 29,755 in 1873, a diminution of 3,600.’

The Commissioners of Police add:—‘The most marked results of the laws passed during recent years for the regulation of houses licensed for the sale of spirituous liquors and refreshments have been in the vicinity of the Haymarket, which, in consequence of the judicious and unwearied action of the divisional police, wears a very different aspect at night to that which formerly characterised the district.’ I have applied for the return for Liverpool for the past twelve months, and Major Greig has courteously furnished them; they reveal startling facts, which may be summed up briefly in the statements that every month in 1875, except in the month of April, there is an increase in the commitments for drunkenness, and in some months the increase is very great, the increase in cases of drunkenness during the 12 months is 1,661. What is the increase to be attributed to? It cannot be said that the wages of working people are higher this year than last, for this is not the fact. And the conclusion is, that the increased drunkenness is owing to the increased hours for drinking in public-houses given by the last Licensing Act, which came into operation on the 10th October of last year, and of which we have now a full year’s experience. That Act added six hours a week on secular days and one hour a week on Sundays, or in all, we have 109 hours per week for drinking now, instead of 102 hours as before. I do trust



that we may not hear any more of what has been so industriously put into the mouths of working men by their so-called friends, 'That it is a shame to deprive the poor man of his beer.'

The working men have uttered a different demand, which is, that they and their families shall be preserved from the contaminating influences of the public-house, and I also hope it will never be said, that public houses might be closed on Sundays here but for the wishes of the Irish Roman Catholic labouring population that so abound in Liverpool. Why, in Ireland the people are well nigh unanimous in their demand for the closing of public-houses on Sundays, and this an English Parliament refuses to grant them. I am prepared to believe that it is the desire of this Council not to go on with things in this town in the disgraceful condition in which they now are. The question is, what is the first step to take towards a remedy? I believe I have urged enough to show that our first duty is to take all necessary steps for having public houses closed on Sundays, and for restricting the hours on which they are open on week-days.

Mr. Balfour then moved: 'That a memorial from the Town Council be presented to her Majesty's Government praying that the Government will, during the next Session of Parliament, introduce a bill to amend the Licensing Laws so as to shorten the hours of sale of intoxicating liquors in public houses on week days, and to prohibit the sale thereof on Sundays, in accordance with the opinions and wishes of a large majority of the householders of the borough, embodied in the recent canvass of the town.'

The Deputy-Mayor (Mr. Alderman Bennett): Does anyone second the resolution?

Mr. Jennings: If Mr. Balfour will confine his resolution to the closing of public-houses on Sunday, I shall be happy to second it.

The Deputy-Mayor: Do you second it in the form in which it stands?

Mr. Jennings: No.

Mr. Guion: Will Mr. Balfour divide his resolution? If he will I will second it.

The Deputy-Mayor: Before that can be done it must be seconded in the form in which it stands.

As no one seconded the resolution it fell to the ground.

## TOWN COUNCIL.

In the Town Council, Mr. Bowring moved the following resolution:—

"That the Town Clerk and Surveyor report upon the course which has been taken in dealing with licenses to public-houses acquired by the Corporation for public improvement purposes during the last five years, and that the Town Clerk also report upon the provisions of the Licensing Acts as to the removal of licenses, and as to the rights and obligations of the Corporation in respect of such licenses."

The following report of the Town Clerk and Surveyor was accordingly issued:—

"During the last five years twelve licensed public-houses have been taken under compulsory powers for street improvements, and in all these cases the license has been removed upon an application to the justices, by the original owner or tenant or by both, to other premises not in the same locality.

In the inquiry for assessing the compensation to be paid by the Corporation in these cases, it has generally appeared that the premises were worth

considerably more rental as a public-house than if a license were not attached to them, and that, in consequence of the difficulty of obtaining licenses to new premises, and the facility for removing licenses, according to the usual practice of the borough justices, the license possessed a marketable value of several hundred pounds. Under these circumstances, it has always been contended on the part of the Corporation that if the value of the property were taken as a public-house an allowance equal to the market value of the license for removal should be made from the compensation, and in some cases an allowance has no doubt been made by the jury or arbitrator.

With respect to the provisions of the Licensing Acts as to the removal of licenses, the Town Clerk is of opinion that according to the correct interpretation of section 14 of 9 George 4, cap. 61, the justices have no power to remove licenses except to 'some other fit and convenient house,' that is, a house sufficiently near to the one from which the license is removed as to afford accommodation to the same persons who would presumably be inconvenienced by the taking down of the original public-house from which the removal is to be made. There is, however, an express power, under the Licensing Act, 1872, section 50, to remove a license from one part of the licensing district to another, but this power can only be exercised if the justices are satisfied that no objection to the removal is made by the owner of the premises to which the license is attached, and the application must be made at a general annual licensing meeting, or an adjournment thereof.

With respect to the rights and obligations of the Corporation, the Town Clerk is of opinion that the Council are bound, in the interests of the rate-payers, to object to the removal of licenses from public-houses owned by the Corporation, and not required to be taken down for public improvements, except upon payment of a sum fairly representing the value of the landlord's interest in the license. Whether the Council should in any particular case consent to the removal upon such payment, will, in the Town Clerk's opinion, depend upon the particular circumstances, and no general rule can be laid down with respect to them. The Town Clerk is also of opinion that it is not desirable to continue the practice of authorising the surveyor to certify that a public-house is about to be taken down for public improvements. If there should be any future case of an application to the borough justices to remove a license under section 14 of 9 George 4, cap. 61, evidence of this fact could be easily given by the applicant, and by leaving him to make out his own case, all danger of the certificate being assumed by the justices to be a consent to a removal under section 50 of the Act of 1872 would be avoided."

On the 1st of December, Mr. M'Dougall asked the following questions in the Town Council :—

"1st. Has the attention of the Watch Committee been directed to violations of the law by publicans selling on unlicensed premises ?

2nd. Has the attention of the Watch Committee been directed to the fact that private individuals have instituted proceedings and obtained convictions? and

3rd. Is it the intention of the Watch Committee to prosecute in similar cases in the future, and so maintain the dignity of public authority, and avoid the scandal of leaving the administration of the law to private citizens?"

A negative answer was given to each by Mr. Livingston, the Chairman of the Watch Committee.



### ALTERATION OF NAME AND EXTENDED BASIS.

As this Report will indicate, the labours of the Executive during the year were directed to various points of local interest in connection with the Trade in Liverpool, as well as with the more general question of prohibition for the nation. It was found in thus labouring that the necessarily restricted ground occupied by the Association, as implied both in its name and basis of constitution tended materially to lessen the influence such an Association as the one we are connected with should occupy, and led to a careful investigation by the Executive, of all the circumstances surrounding the question, and after several meetings held by them with a number of the Vice-Presidents, it was resolved to submit a change of name and more extended basis of operation to the members and subscribers, for their approval,

Accordingly, the following draft basis was sent by post to every subscriber, with a form of voting paper, asking for an expression of opinion for or against the proposed change :—

#### “THE LIVERPOOL LICENSING REFORM AND PERMISSIVE BILL ASSOCIATION.

- 1.—To obtain from Parliament the effective control of the Liquor Traffic by the Ratepayers.
- 2.—To support measures introduced into Parliament for lessening the facilities for the sale of intoxicating liquors.
- 3.—To secure closing of public-houses during the whole of Sunday, and further diminution of the hours of sale on week-days.
- 4.—To secure closing of public-houses on Parliamentary and Municipal election days, and on all other days of public polling.
- 5.—To reduce intemperance by the strict enforcement of existing laws;
- 6.—To influence public opinion on all the foregoing points.
- 7.—To promote the return of representatives to Parliament and Town Council favourable to the objects herein named.”

Nearly all the circulars were returned to the office with an all but unanimous approval of the suggested alteration—only two dissenting.

At a subsequent meeting held to formulate the alterations and prepare the work for the coming year, it was suggested and resolved, after a full discussion, still further to alter the title of the Associa-

tion by calling it the "LIVERPOOL POPULAR CONTROL AND LICENSING REFORM ASSOCIATION" (formerly "Liverpool Permissive Bill Association"). This could not be done without again appealing to our constituents, and again they were asked to express approval or dissent. The voting papers were returned quickly, and it was found that between 300 and 400 were in favour of the alteration, while 38 were against it, though only 20 were opposed to the name as was then submitted.

Your Executive desire to call attention to the fact that these voting processes are themselves educationary, preparing the people for the voting plans suggested in the Permissive Bill.

The moral force of the change is thus spoken of by the *Daily Post* :—

"It shows strength to resolve, as Mr. Caine announces the Liverpool Permissive Bill men do resolve, to pursue minor and practical aims—to repress irregularities and misbehaviour amongst publicans for instance—whilst still preserving steadily in view the ultimate aim of the Association."

The alterations made are already bearing fruit, several new subscribers have been enrolled, and others promised for the new year.

It is not the pecuniary gain alone that the Executive are looking to. The vast accession of moral strength and influence we shall be able to command by the presentation of more united forces in the town against the drinking customs and power must be evident to all observers, and that such is needed let the following facts testify.

For some time the number of drunken cases brought up in the "Drunken Court" has steadily increased, and "Black Monday" may now be reckoned one of the institutions of Liverpool.

The figures appended are all copied from the *Liverpool Mercury* :—

Date, 1875.				No. on the Book.		No. Booked Drunk.	
Monday, Jan.	4	...	...	...	135	.....	91
" "	11	...	...	...	192	.....	147
" "	18	...	...	...	208	.....	153
" "	25	...	...	...	208	.....	164
Monday, Feb.	1	...	...	...	189	.....	146
" "	8	...	...	...	174	.....	140
" "	15	...	...	...	209	.....	160
" "	22	...	...	...	207	.....	160



Date, 1875.			No on the Book. No. Booked Drunk.	
Monday, March 1	...	...	187	137
"    "    8	...	...	174	140
"    "   15	...	...	230	178
"    "   22	...	...	196	155
"    "   25	...	...	236	171
Monday, April 5	...	...	197	139
"    "   12	...	...	217	155
"    "   19	...	...	230	170
"    "   26	...	...	243	172
Monday, May 3	...	...	259	222
"    "   10	...	...	244	188
"    "   17	...	...	287	208
"    "   24	...	...	188	137
"    "   31	...	...	224	180
Monday, June 7	...	...	292	204
"    "   14	...	...	310	250
"    "   21	...	...	287	216
"    "   28	...	...	292	194
Monday, July 5	...	...	272	163
"    "   12	...	...	249	199
"    "   19	...	...	233	182
"    "   26	...	...	304	227
Monday, Aug. 2	...	...	275	216
"    "    9	...	...	274	212
"    "   16	...	...	236	184
"    "   23	...	...	311	243
"    "   30	...	...	289	230
Monday, Sept. 6	...	...	257	201
"    "   13	...	...	310	256
"    "   20	...	...	238	194
"    "   27	...	...	251	194
Monday, Oct. 4	...	...	173	144
"    "   11	...	...	200	147
"    "   18	...	...	231	175
"    "   25	...	...	276	218
Monday, Nov. 1	...	...	211	178
"    "    8	...	...	238	211
"    "   15	...	...	221	118
"    "   22	...	...	255	211
"    "   29	...	...	227	185
Monday, Dec. 6	...	...	232	184
"    "   13	...	...	236	183
"    "   20	...	...	232	186
"    "   27	...	...	261	217
Monday, Jan. 3	...	...	195	156
"    "   10	...	...	151	129

Among the cabmen the work of the drink is very observable, and notwithstanding the boon conferred on these men by the opening of the "Cabmen's Rests," and the indefatigable labours of a cabman's missionary, such are the temptations to which they are exposed, that more than 50 of them have died during the year, most of them the victims of drink, whose ages have not averaged 40 years.

Serious offences against the person, and crimes of violence, are on the increase. The knife, the poker, and weapons of various kinds are now of common use, and even firearms are resorted to in the 'good old town,' but drink in nearly all cases is the incentive.

"Although fenders and fire-irons have become popular weapons of attack in Liverpool, it must not be supposed that other implements which are handy in an emergency are, therefore, entirely discarded. At the Police Court yesterday, five assault cases were brought before the Magistrates, and while only one of the assailants used the poker, two had recourse to the knife, one, in Black Country fashion, 'eaved 'arf a brick,' and the fifth threw a stool at her antagonist, and hit him on the head so effectually as to cause concussion of the brain. The above list does not include the case of two promising corner lads of eighteen, who garotted and robbed a woman who was uncivil enough to refuse the price of a pint of ale when that trifling demand was made upon her Christian charity."—*Post*.

Bad as last year was in reference to convictions for drunkenness, the number is exceeded this year by 1,346. It is worth observing that under the Act of 1872, which the publicans and brewers so much detested, and worked so hard to alter, and which was altered in 1874 by Mr. Cross, the Home Secretary, the number of convictions for drunkenness were less in that year than they had been for three years before or for three years since.

In	1869	1870	1871	<b>1872</b>	1873	1874	1875
	18,303	21,113	19,559	<b>16,927</b>	18,038	20,330	21,694

The following is the making up of the figures :—

Drunk and disorderly	...	...	...	16,910
„ „ incapable	...	...	...	3447
„ „ assaulting Police	...	...	...	801
„ „ other assaults	...	...	...	444
„ „ „ offences	...	...	...	2,017
Informations for drunkenness	...	...	...	1,337
				<hr/>
				24 956

This includes other offences, combined with drunkenness,



The number of females brought up before the Magistrates of Liverpool the first time during the last four years, were in

1872	...	...	...	...	512
1873	...	...	...	...	524
1874	...	...	...	...	472
1875	...	...	...	...	440

It will be generally conceded that there must be something very fearfully wrong in the trade that even assists at the immolation of so many fresh victims per year on the shrine of greed and lust.

#### SUNDAY CLOSING.

The advocacy of the Permissive Bill—or any other measure embodying the principle of popular control—will be continued with unabated vigour, the conviction of the Executive remaining unchanged—that as that principle becomes better understood, it will command support from the friends of sobriety generally, as a just, moderate, practical, and constitutional settlement of the Licensing system.

It is evident, however, that there is a strong and growing desire that strenuous efforts should be made to obtain, by legislative measures which are considered more immediately attainable, some mitigation of the terrible evils arising from the prevailing intemperance.

Foremost among such measures, upon which there is an almost universal concurrence of opinion in Liverpool, is the Closing of Public-Houses on Sunday.

The people of this town have, in various ways and by overwhelming majorities, expressed their strong desire that the Sale of Liquor on Sunday should not be an exception to every other Trade. The emphatic expression of public sentiment in the recent Town's Canvass, fully confirmed the feeling of the Householders manifested repeatedly on former occasions when their opinion was asked.

The Publicans in considerable numbers have expressed their approval of closing their houses on Sunday, if it were enforced

upon all, and it is evident that only the worst class of Publicans and their most disreputable customers desire the continuance of the present state of things.

With a view of urging upon the Government the necessity of immediate action upon this question, it is proposed to hold a great and influential demonstration at an early date, at which the views of the inhabitants, of all parties, creeds and classes, will be expressed, calling upon the Government to pass a Measure for Closing Public Houses on Sunday.

It is further suggested that influential deputations should be appointed by such meeting to bring these views before the notice of the Home Secretary Mr. Cross, the Earl of Derby, and Lord Sandon; these members of the Government holding such intimate relations with Liverpool.

It is further proposed that the Town Council, the Boards of Guardians, and the School Board (which latter find such obstruction to their work from the Sunday drinking of Parents) should be respectfully asked to Memorialise the Government in favour of Sunday Closing.

#### TRANSFERS, REMOVALS, AND APPEALS.

The Laws relating to Transfers, Removals, and Appeals, require immediate consideration.

In the course of the past year, and in consequence of the action taken by this Association, several serious defects in the Licensing Laws have become manifest, and call for the immediate action of the Legislature for their removal.

It is not for us to characterise the anomalies connected with Appeals [especially in the Recorder's Court]; the abuses connected with the Transfer of Licenses from one manager to another, and the Removal of worn-out Licenses to the suburbs. The proceedings in connection with these operations have become a public scandal, by which the intention of the Legislature is frustrated, the Magistrates are baffled in the administration of the law, and drunkenness is greatly increased.



## PROSECUTIONS AGAINST PUBLICANS.

In conjunction with the Vigilance Committee, the action of this Association has had the effect of stimulating the Watch Committee to a little energy in the supervision of Licensed Houses; so that while only three Publicans were convicted for *permitting drunkenness* in the year ending September 29th, 1874, there were fifty-seven such convictions in the year ending September 29th, 1875, and from September 29th to the 31st December, 1875, there have been 19 more convictions for the same offence. During 1875, 118 Publicans and Beershop-keepers have been convicted for offences against the Licensing Act.

This portion of our work will receive careful and continued attention.

There is no wish to harass the Publicans by vexatious proceedings, but in common with other trades they must submit to Inspection in the interests of public order, and like bakers, butchers, milliners, and other tradespeople, they must not expect to escape punishment when they violate the law. It would be well for all Publicans to accept the advice of the Chairman of the Licensed Victuallers' Association, who recently said that no one in the trade need fear the visits of the police if they kept within the limits of the law.

## ELECTORAL ACTION.

During the past year the Executive Committee have been strongly urged by many of their subscribers, and by the public outside, to take an active part in promoting the return to the Town Council of Candidates favourable to Temperance.

By the adoption of the 6th head of our New Constitution, such action has been clearly marked out as a portion of the work of the Association in future.

There seems to have been a general expectation by those Electors who signed the Town's Canvass Papers that an opportunity would be afforded them by means of some organization or other, of

supporting by their votes at the polling booths Candidates for the Town Council favourable to the views expressed by such an overwhelming majority of the Householders.

It is unmistakeably evident that the views of the majority of the Members of the Town Council as to the control of Public-houses, are not in harmony with the convictions of the great majority of the Burgesses. To correct this discrepancy it seems necessary that, apart from the two great political parties, some independent organization should aid the Electors in selecting and returning Candidates representing their views on this urgent question.

The time has gone by when Christian men should stand aloof from election matters, and allow professional politicians, election agents, and publicans to do as they please. If the giant evil of intemperance (which threatens the very life of the nation) is to be checked, it will be necessary to use not only all educational means for this purpose, but in addition, *to exercise our rights as citizens in returning to Parliament and to our Municipal Council men who will frame and administer the Laws in the interests of the Public.*

The position of our Association in this town gives us a right to be heard in the selection of Candidates for Parliament. Composed as we are of both political parties, we shall use such influence as we can command to secure Candidates favourable to our views; and if either the Constitutional or Liberal Associations fail to represent us in their Candidates, we reserve to our Executive the right to take such independent action as they may deem desirable.

#### FINANCES.

The condition of the finances of an association cannot but be matter of great interest to the members, and the Executive have pleasure in directing attention to the balance-sheet. While on the payment side it will be found that the outlay has been very heavy, it will indicate a vast amount of labour accomplished, and the opposite side will show that many new subscriptions have been obtained.



At the opening of the year the balance in hand was £82 17s. 8d. The subscriptions and donations for the year have been £926 8s. 6d.; and the amount received for tickets, maps, papers, etc., £42 7s. 6d., making a total of £1,051 13s. 8d. The total expenditure has exceeded the income, amounting to £1,091 14s. 8d., leaving a balance due to the Treasurer of £40 1s. 0d.

There is one liability carried forward to the new year. It is the charge for the Second Edition of the Maps, which are purposed to send to the Members of Parliament in February, and which it was thought ought not to be charged to this year's account.

It is hoped that the financial condition of the Association will be put upon a satisfactory basis, as there is a great work before us, and it would be suicidal to relax any effort already made to curb the drink power in the town.

#### SIGNS OF PROGRESS.

The Elections which took place in November were gains to the cause of "Local option." In St. Anne's Ward a pronounced Prohibitionist replaced a Brewer, and in Castle-street Ward and Rodney-street Ward the gentlemen returned are both supporters of the right of the people to control the liquor traffic. We are glad to know that many friends, notably in St. Anne's Ward, set aside their political opinions in favour of these gentlemen. It is matter for regret that more of the Wards were not contested, and it is believed that more Temperance men would have been returned if "all along the line the fight had run." Let us hope that, with increased power and more organisation during the coming year, fresh victories may be gained, and our cause further advanced.

---

The Vigilance Committee have done good service by the house-to-house canvass, and by the manner in which they have presented subjects to the consideration of the Town Council. The Templars, the Ladies' Committee, the Women's Crusade, and other Temperance organisations have contributed their share of influence to the general

good by assisting your Executive in the petitioning movement, for which they are most heartily thanked.

---

At a meeting of the National Reform Union, held in Manchester, in December, at which 1,763 Delegates and Representatives from all parts of the Kingdom were present, W. S. Caine, Esq. (our Treasurer) moved the following resolution:—

“That ‘popular control over licenses for the sale of intoxicating liquors’ be added to the ‘objects’ of the National Reform Union.”

and said—

“That he felt pretty sure that the resolution would be passed with as great unanimity as any of the resolutions which had preceded it. He wished distinctly to explain that it was not a resolution in favour of the Permissive Bill. That bill might be one aspect of the question of popular control over licenses, but the resolution did not pin the Conference to any distinct scheme of popular control. (Hear, hear.) He could ask them to support the resolution on one or two good and sound grounds. The sale of intoxicating liquors was a trade which had always been under control, and was essentially a people’s question. (Hear, hear.) The question of the laws relating to the granting and renewing of public-house licenses was quite as much a people’s question as education or pauperism, or municipal government, or any other of those questions which are distinctly relegated to the local administrations; and it seemed to him that on that account it was most undesirable that it should, any longer than was possible, be continued in the hands of an irresponsible body of gentlemen, or that the trade should any longer continue the monopoly of a privileged class. (Applause.) He therefore thought the time was come when the great Liberal party of this country should take up this question earnestly and seriously, and see to it that some measure be brought into the House of Commons, and if possible passed into law, that should take the granting and renewing of licenses entirely out of the hands of an irresponsible body, and place it in the hands of some representatives of the people. He thought that the only satisfactory solution of this question of the licensing authority would be found in a board that should be elected strictly for that purpose, and for no other. It would be a fatal mistake to place it in the hands of any of those bodies already elected by the people. Municipal bodies had already enough to attend to; the education board had a direct work to do, and had its hands sufficiently full; and he did not think it would be wise to place it in the hands of the boards of guardians. (Hear, hear.) He held that the question of granting licenses and generally dealing with the liquor traffic was one of paramount importance to any of the questions he had named. He did not hesitate to say that if it were not for the intemperance of this country, we should have very little need of compulsory education, and still less need for the parochial authority elected by the people; therefore this question of all others demanded relegation to the people themselves. He saw no other way out of the difficulty than to grant the power of granting and renewing licenses to a board elected by the people themselves for that express purpose. So much for the licensing authority. At the same time many present would know that he was in favour—though he did not consider it in any way definitely included in the resolution—of the question of the prohibition of the liquor traffic also being relegated to the people. (Applause.) But he was not then speaking to the Permissive Bill, or to prohibition, but to the question of popular control; and he thought that most of those who were members of the United Kingdom Alliance would be content if, tacked on to a measure granting to a licensing board the power now entrusted to the magistrates, there were a clause enabling that board to prohibit. He wished to press home to that Liberal Conference the reasons why they should adopt the resolution. First, on selfish grounds, for it was seen that the licensed victuallers were, without exception, their bitterest



and most uncompromising political foes. They had lost them, and he thanked God they had lost them for ever. (Laughter and applause.) He challenged anyone present to say that the Liberal party at the present moment enjoyed any support whatever from the licensed victuallers as a body. ('None'.) Well then, they had lost them—(applause)—and were never going to get them back again. That being the case, he saw no reason why they should not secure the unanimous support of all temperance reformers. Another reason was that he believed that neither at the present moment, not at any future period till the matter was settled could the Liberal party be united in any large or intelligent constituency without drafting into its platform popular control over the liquor traffic. (Hear, hear.) In these days, when there was no Liberal policy—so people said—there were only two questions upon which any of them could get up a big meeting in any of their boroughs; they were first, the disestablishment of the English Church, and, secondly, the disestablishment of the liquor monopolists. (Hear, hear.) They all knew that these were the only two questions before the country upon which a big meeting could be got up in any large constituency. That being so, they should at once draft into their programme this resolution of popular control over licenses. He had that week been privileged to attend two large meetings in two Liberal constituencies—at Derby and Leeds. At Derby there was a meeting of two thousand persons, and four or five hundred others were unable to get in. The meeting was in favour of the Permissive Bill—(applause)—which bill was the most extreme proposition that could be brought under the resolution. In Leeds there was a very large meeting of nearly four thousand persons, and many could not obtain admission to that also. Leeds was a town which, of all others, pointed to the fact that if the Liberal party was to secure unanimous support for its candidates, those candidates must go for the principle of popular control over licensing; for dissensions (greatly to be lamented) among the Liberal party at Leeds at the last elections had caused them to return two Conservative candidates. What he had seen of the great constituencies led him to believe—apart from his own strong feeling—that if they were to be successful, if they were to bring in the Liberal reaction, and win back the power they had enjoyed so long, of legislating for and ruling this country, they must, as one of the foremost planks in their platform, insert the popular control over the licenses for the sale of intoxicating liquors. He most heartily moved the resolution." (Cheers.)

A long and interesting debate followed, and the resolution was carried by an overwhelming majority.

Now that this has been done, we earnestly hope that the Conservative bodies will adopt a similar resolution, so that both the great parties of the State may be purged from complicity with the nation's curse.

---

We have pleasure in noting that the British Workman Public-house Company has been started, and that several Cocoa-houses are now in existence along the line of Docks, doing an exceedingly good business, and we hail this fresh inroad on the drinking habits of the town as likely very materially to lessen the vice of intemperance among the people.

In other parts of Liverpool private enterprise has called into existence Restaurants, where no intoxicating liquors can be obtained; and the success that has already been secured gives assurance that

there exists a strong desire on the part of a large portion of the inhabitants of Liverpool to be free from all connection with "the Trade" and its consequences. We most heartily commend these enterprises to the attention and support of our friends.

---

The restricting and curbing the power of "the Trade" is not confined to Liverpool exclusively. Your Executive rejoices that in Birmingham an efficient staff of special inspectors have been appointed to enforce the Licensing Laws. In Leeds the authorities are bestirring themselves in the same direction, and it is to be hoped that ere long the same plan will be adopted here, for, though the inspection has become more rigid, the offence of permitting drunkenness is still so prevalent that it requires far more attention than it receives at present.

The plan of the town canvass has been adopted at Hartlepool, in several parts of the Isle of Man, in the large towns in Ireland, and other places with great success.

#### THE FUTURE.

And what of the future in Liverpool? With the drinking in "full blast,"—with crowded gaols, enlarged police force, more persistent efforts of "the trade" to push its proud, presumptuous power to the front, and to subordinate all the welfare of the State to the "bread and cheese" policy of interested parties—with our public-house cases before the Recorder—with the large number of "extended premises" in Liverpool, whose owners and tenants have yet to be dealt with—with our increasing drunkards' roll—with the demands for larger bridewells and more capacious prisons—with our heathenism, vice, bestiality, brutality, and violence—what of our future? Are not all these so many trumpet calls to increased activity and more determined consecration of our lives and property to the cause of God and suffering humanity?

At the Assizes held in December, when sentencing an old man named Edward Phillips to death for wife murder, Mr. Justice Mellor said he wished it were only possible that the shocking state of things which had been revealed in the trial would act as a warning to people



against the effects of drink, *to which in Liverpool he could trace almost all crimes.*

And what of the future for the nation? In the coming Parliament our question will be in great prominence. Sir Wilfrid Lawson's Bill, the Gothenberg scheme, the measure of the Church of England Temperance Society, the Irish Sunday Closing Bill, the English Sunday Closing Bill, and the Bill for the Abolition of the Beerhouse system in Ireland. These and other Bills will engage the attention of the Legislature, and your Executive would urge upon their friends and supporters the necessity for assisting to the utmost of their power the several means which, however good in themselves, do not make the demand for the Permissive Bill any less urgent. The Executive is convinced that the Permissive Bill is a just, moderate, and practical measure, perfectly in harmony with British Legislation, and would therefore, in view of all the additional measures before Parliament, recommend to their friends to support "the Bill, the whole Bill, and all the measures besides the Bill."

---

In conclusion, we express our ardent hope that the principle of "Popular control" may be more fully understood and demanded, and that an end may be speedily put to crime and violence, now so prevalent in Liverpool.

## ANNUAL BUSINESS MEETING.

---

THE Annual Meeting of the Members and Subscribers of the Liverpool Permissive Bill Association was held on the evening of Friday, January 21st, 1876, in the John Cropper Hall, Cropper Street, Mr. R. A. Eskrigge in the chair.

The Annual Report of the General Committee was read by the Honorary Secretary, Mr. John B. Collings; and Mr. W. S. Caine, Treasurer, read the Statement of Accounts for the year. The following Resolutions were unanimously adopted:—

Moved by Mr. W. S. Caine, and seconded by Mr. T. Ollis:—

“That the Report as read be adopted, printed, and circulated.”

Moved by Mr. Hiles, seconded by Mr. T. Jackson, Birkenhead:—

“That the Financial Statement now read be received and printed, and circulated with Report.”

Moved by Mr. P. P. Williams, and seconded by Mr. G. Fishlock:—

“That the following gentlemen be elected as the President, Vice-Presidents, and Officers of the Association for the ensuing year.”  
(see pages v and vi).

Moved by Mr. J. H. Jackson, and seconded by Mr. E. Jones:—

“That we tender our hearty thanks to R. A. Eskrigge, Esq., President; W. S. Caine, Esq., Chairman and Treasurer; Mr. John B. Collings, Hon. Sec.; and Mr. Smyth, Agent, for their past services.”

Moved by Mr. I. Miller, and seconded

“That the best thanks of this Meeting be presented to R. A. Eskrigge, Esq., for presiding over the Business Meeting.”



THE LIVERPOOL PERMISSIVE BILL ASSOCIATION,

二

*In Account with* W. S. CAINE, *Treasurer:*

ix.

Dec. 31, 1875.	£	s.	d.
To Printing, Advertising and Stationery	338	4	7
" Hire of Halls, Offices, Expenses of Meetings, &c...	108	18	7
" Petitioning Expenses .. .. .	122	14	10
" N. Smyth's Salary and Bonus .. .	155	0	0
" Clerks' Wages and Commission ...	62	7	9
" Expenses of Deputations .. .. .	24	14	6
" Law Expenses, Reporting, Draftsmen, Papers, &c. ....	238	6	0
" Stamps, Telegrams, &c. ....	39	5	0
" Fares, Carriage and Sundries ...	2	3	5
			£1,091 14 8

*Examined and found correct,*

LEWIS &amp; MOUNSEY,

*Public Accountants.*

LIVERPOOL, 2nd February, 1876.

# LIVERPOOL

## PERMISSIVE BILL ASSOCIATION.

*SUBSCRIPTIONS and DONATIONS received from Jan. 1st., 1875  
to Dec. 31st, 1875.*

	£	s.	d.		£	s.	d.
Caine, W. S...	200	0	0	Hanmer, Thomas	1	1	0
Smith, S. ...	200	0	0	Holt, George	1	1	0
				Kelly, William	1	1	0
Balfour, A. ...	55	0	0	Lamont, J. ...	1	1	0
				Parry, E. P.	1	1	0
Balfour, Williamson				Pheysey, R.	1	1	0
and Co. ...	50	0	0	Ropes, C. A.	1	1	0
Smith, James	50	0	0	Ropes, F. H.	1	1	0
				Russell, Biggs, and Co.	1	1	0
Lockhart, Robert	20	0	0	Stubbs, L. P.	1	1	0
				Townley, J. H.	1	1	0
Crosfield, W., Jun.	10	0	0	Wycherley, J.	1	1	0
Matheson, T.	10	0	0	Yeames, Rev. J.	1	1	0
Ker, R. P. ...	10	0	0				
				Allen, E. ...	1	0	0
Babcock, B. F.	5	0	0	Ames, W. ...	1	0	0
Clarke, Henry	5	0	0	Buck, M. C...	1	0	0
Cooke, J. and Son	5	0	0	Burness, T. F.	1	0	0
Radcliffe, R.	5	0	0	Higgins, V. J.	1	0	0
Roberts, R. H.	5	0	0	Hiles, J. ...	1	0	0
Roberts, R. R.	5	0	0	Hodge, George	1	0	0
Townson, B., M.D.	5	0	0	Jackson, Thos.	1	0	0
Woodward, E.	5	0	0	Marshall, W. B.	1	0	0
				Robertson, W.	1	0	0
Fox, D. A. ...	3	3	0	Salthouse, T.	1	0	0
				Thompson, I. C.	1	0	0
Williams, J. R.	3	0	0				
				Bird, Thos. ...	0	15	0
Byrne, J. J. ...	2	2	0				
Eden, Thos...	2	2	0	Bebbington, M.	0	10	6
				Blackburn, P.	0	10	6
Friends at Walton	2	0	0	Davies, W. ...	0	10	6
Jackson, J. H.	2	0	0	Davies, S. W.	0	10	6
Jones, Edward	2	0	0	Downward, Thos.	0	10	6
M'Dougall, R.	2	0	0	Grylls, J. J....	0	10	6
Stubbs, J. ...	2	0	0	Handley, Thos.	0	10	6
Thomas, J. ...	2	0	0	Hughes, Wm.	0	10	6
				Jones, D. and Co.	0	10	6
Barrow, Samuel	1	1	0	Miller, I. ...	0	10	6
Collings, J. B.	1	1	0	Montgomery, J.	0	10	6
Cope, D. ...	1	1	0	Peters, F. H.	0	10	6
Handley, James	1	1	0				



	£	s.	d.		£	s.	d.
Scott, David ...	0	10	6	Shore, J. H....	0	10	0
Shone, William ...	0	10	6	Smith, James ...	0	10	0
Simpson, T., M.D. ...	0	10	6	Southart, Thomas ...	0	10	0
Sutcliffe, W. J. ...	0	10	6	Thornton, J... ..	0	10	0
Ward, H. J....	0	10	6	Todd, Rev. S. ...	0	10	0
				Towers, T. A. ...	0	10	0
Anderson, A. ...	0	10	0	Tyerman, W. H. ...	0	10	0
Blair, John ...	0	10	0	Varty, Calvert ...	0	10	0
Bosomworth, C. F. ...	0	10	0	Wheley, Miss ...	0	10	0
Bowker, A. ...	0	10	0	Wilkie, E. ...	0	10	0
Bras, J. T. W., M.D.	0	10	0	Williams, T. H. ...	0	10	0
Brick, George ...	0	10	0				
Burrows, J., M.D. ...	0	10	0	Barton, Rev. J. ...	0	5	0
Carter, W. ...	0	10	0	Borris, W. C. Jun. ...	0	5	0
Cleaton, E. ...	0	10	0	Brewster, Rev. C. ...	0	5	0
Clegg, Miss ...	0	10	0	Brick, E. ...	0	5	0
Collins, J. ...	0	10	0	Buchanan, J. ...	0	5	0
Cottle, A. W. ...	0	10	0	Burgess, W....	0	5	0
Cowley, E. ...	0	10	0	Clarke, B. ...	0	5	0
Cowley, Thos. ...	0	10	0	Collin, D. S. ...	0	5	0
Dicker, R. D. ...	0	10	0	Conquer, C. ...	0	5	0
Edwards, Jos. ...	0	10	0	Davies, W. ...	0	5	0
Evans, J. H. ...	0	10	0	Davidson, D. ...	0	5	0
Fallows, T. ...	0	10	0	Fleming, Miss ...	0	5	0
Griffiths, E. ...	0	10	0	Frankland, B. ...	0	5	0
Harker, A. ...	0	10	0	Higgins, Mrs. V. J. ...	0	5	0
Harker, J. ...	0	10	0	Hinson, William ...	0	5	0
Harker, R. ...	0	10	0	Hope, Thomas ...	0	5	0
Harrison, J. W., Jun.	0	10	0	Hughes, John ...	0	5	0
Harrison, Mrs. J. W....	0	10	0	Hunt, B. ...	0	5	0
Howie, J. M., M.D. ...	0	10	0	Jones, P. L. ...	0	5	0
Jones, J. S. ...	0	10	0	Jones, W. ...	0	5	0
Kerr, John ...	0	10	0	Kerr, John ...	0	5	0
Key, Thos. ...	0	10	0	Killip, T. W. ...	0	5	0
Leicester, A. ...	0	10	0	Latimer, W. ...	0	5	0
Lewis E. ...	0	10	0	Laurence, T. D. ...	0	5	0
Linton, Thos. ...	0	10	0	Looney, James ...	0	5	0
Mackerth, J. ...	0	10	0	M'Nicol, A. ...	0	5	0
Mercer, Mr....	0	10	0	Metcalf, G. ...	0	5	0
Mylchrist, D. ...	0	10	0	Muuns, W. ...	0	5	0
Newell, John ...	0	10	0	Murray, J. D. ...	0	5	0
Nicholls, J. H. ...	0	10	0	Ollis, Miss M. ...	0	5	0
Ollis, Thos. ...	0	10	0	Ollis, Miss S. ...	0	5	0
Pearson, J. D. ...	0	10	0	Pragg, Rev. J. ...	0	5	0
Pentony, J. ...	0	10	0	Priest, H. P. ...	0	5	0
Phillips, G. ...	0	10	0	Pugh, S. ...	0	5	0
Porter, H. ...	0	10	0	Roberts, D. ...	0	5	0
Porter, W. ...	0	10	0	Simpson, Rev. J. ...	0	5	0
Progress of Waterloo				Slater, J. K... ..	0	5	0
Lodge, I.O.G.T. ...	0	10	0	Smith, Charles ...	0	5	0
Quayle, C. C. ...	0	10	0	Smyth, N. ...	0	5	0
Quilliam, S. ...	0	10	0	Smyth, Mrs. N. ...	0	5	0
Ricketts, C , M.D. ...	0	10	0	Smyth, Miss A. ...	0	5	0
Roe, J. ...	0	10	0	Smyth, Miss F. A. ...	0	5	0
Seddon, D. ...	0	10	0	Smyth, H. K. ...	0	5	0

	£	s.	d.		£	s.	d.
Timmis, Charles ...	0	5	0	Jones, W. ...	0	2	6
Timpany, D. ...	0	5	0	Kirkland, Wm. ...	0	2	6
Towers, Rev. J. ...	0	5	0	Latimer, Geo. ...	0	2	6
Tyson, W. ...	0	5	0	Latimer, Mrs. S. ...	0	2	6
Walls, W. ...	0	5	0	Leckie, Wm. ...	0	2	6
Wavertree Vale Lodge, I.O.G.T. ...	0	5	0	Lewis, R. ...	0	2	6
Whitehead, G. ...	0	5	0	M'Bryde, W. ...	0	2	6
Worrall, W. ...	0	5	0	M'Dermott, H. ...	0	2	6
Worrall, W., Jun. ...	0	5	0	M'Master, Jas. ...	0	2	6
				Moore, D. I. ...	0	2	6
Griffiths, R. ...	0	4	0	Moore, Rev. W. K. ...	0	2	6
Hollis, Thos. ...	0	4	0	Murray, David ...	0	2	6
Jones, Job ...	0	4	0	Newall, Thos. ...	0	2	6
				Oates, Thos. ...	0	2	6
Bowman, J. H. ...	0	3	6	Passmore, Jno. ...	0	2	6
Cooper, James ...	0	3	6	Pearson, Chas. ...	0	2	6
Dooley, Thomas ...	0	3	6	Porter, Mrs. W. ...	0	2	6
				Pownall, Mr. ...	0	2	6
Kirkpatrick, Mr. ...	0	3	0	Redman, T. ...	0	2	6
M'Geoch, E. ...	0	3	0	Rees, G. ...	0	2	6
				Rice, H. R. ...	0	2	6
Armitage, James ...	0	2	6	Rice, Miss ...	0	2	6
Ashcroft, Henry ...	0	2	6	Roberts, E. ...	0	2	6
Bailey, John ...	0	2	6	Roberts, G. ...	0	2	6
Bake, Joseph ...	0	2	6	Shepherd, Jno. ...	0	2	6
Bates, W. ...	0	2	6	Sinclair, P. ...	0	2	6
Bennett, Miss S. ...	0	2	6	Taylor, W. ...	0	2	6
Black, James ...	0	2	6	Thompson, R. J. H. ...	0	2	6
Black, Thomas ...	0	2	6	Timpany, A. ...	0	2	6
Bland, R. ...	0	2	6	Trampleasure, S. C. ...	0	2	6
Bowker, E. ...	0	2	6	Walker, Wm. ...	0	2	6
Chadwick, John ...	0	2	6	Wardle, J. A. ...	0	2	6
Chiswell, S. S. ...	0	2	6	Waters, Austin ...	0	2	6
Chorley, Peter ...	0	2	6	Watkin, W. ...	0	2	6
Clarke, John ...	0	2	6	Webb, E. J. ...	0	2	6
Collister, John ...	0	2	6	Webb, Mrs. E. J. ...	0	2	6
Cox, Alfred ...	0	2	6	White, R. D. ...	0	2	6
Craigie, A. B. ...	0	2	6	Williams, T. ...	0	2	6
Dale, Miss E. J. ...	0	2	6				
Davies Richard ...	0	2	6	Allen, J. ...	0	2	0
Dean, A. ...	0	2	6	Bradshaw, M. ...	0	2	0
Dickenson, A. ...	0	2	6	Bruce, Miss ...	0	2	0
Duckworth, W. ...	0	2	6	Callow, W. T. ...	0	2	0
Fawcett, James ...	0	2	6	Corfield, W. ...	0	2	0
Glover, George ...	0	2	6	Darbyshire, B. ...	0	2	0
Goldie, Jno. ...	0	2	6	Davenport, J. L. ...	0	2	0
Graham, W. ...	0	2	6	Dennis, Geo. ...	0	2	0
Griffith, O. G. ...	0	2	6	Dott, Wm. ...	0	2	0
Halliday, Jno. ...	0	2	6	Durrans, G., Jun. ...	0	2	0
Hatton, I. ...	0	2	6	Gleaves, W. ...	0	2	0
Hornby, Jno. ...	0	2	6	Gleaves, W., Jun. ...	0	2	0
Hughes, Jno. ...	0	2	6	Griffiths, E. ...	0	2	0
Hunt, W. H. ...	0	2	6	Haskell, T. T. ...	0	2	0
Jones, B. ...	0	2	6	Hebson, Jos. ...	0	2	0
Jones, G. M. ...	0	2	6	Hebson, T. W. ...	0	2	0



	£	s.	d.		£	s.	d.
Hough, E. ...	0	2	0	Cowley, Jno. ...	0	1	0
Houghton J. T. ...	0	2	0	Cowley, Mrs J. ...	0	1	0
Hudson, Thos. ...	0	2	0	Craig, T. ...	0	1	0
Hughes, Jno. S. ...	0	2	0	Cruickshanks, A. ...	0	1	0
Jones, J. M. ...	0	2	0	Dickson, Jos. ...	0	1	0
Jones, T. ...	0	2	0	Dooson, Miss ...	0	1	0
Lightfoot, R. ...	0	2	0	Duckett, Chas. ...	0	1	0
Mathias, Mr. ...	0	2	0	Earle, W. ...	0	1	0
Nicholls, E. ...	0	2	0	Easton, A. C. ...	0	1	0
Quick, Miss ...	0	2	0	Embley, Jas. ...	0	1	0
Quick, W. ...	0	2	0	Eskrigge, J. E. ...	0	1	0
Quick, W. H. ...	0	2	0	Eskrigge, Mrs. ...	0	1	0
Scarth, Miss ...	0	2	0	Evans, J. R. ...	0	1	0
Stanley, G. ...	0	2	0	Evans, E. ...	0	1	0
Tait, W. I. ...	0	2	0	Ewen, Wm. ...	0	1	0
Vey, H. ...	0	2	0	Fergus, R. ...	0	1	0
Williams, W. ...	0	2	0	Fergus, Mrs. R. ...	0	1	0
				Fishlock, George ...	0	1	0
Austin, W. ...	0	1	6	Foote, Hy. ...	0	1	0
				Fowler, Jno. ...	0	1	0
Allen, Miss F. ...	0	1	0	Furber, W. H. ...	0	1	0
Allen, J. ...	0	1	0	Furness, Miss ...	0	1	0
Allen, Miss S. ...	0	1	0	Gent, E. R. L. ...	0	1	0
Ashcroft, E. ...	0	1	0	Gordon, D. ...	0	1	0
Austin, Fred ...	0	1	0	Gordon, J. P. ...	0	1	0
Baikie, J. S. ...	0	1	0	Hampson, W. ...	0	1	0
Barnfather, W. J. ...	0	1	0	Harker, Mrs. A. ...	0	1	0
Beattie, D. ...	0	1	0	Harrison, A. ...	0	1	0
Benson, G. ...	0	1	0	Harrison, J. T. ...	0	1	0
Bernard, W. ...	0	1	0	Helsby, Joseph ...	0	1	0
Bexon, W. ...	0	1	0	Heywood, Joseph ...	0	1	0
Bexon, Mrs. W. ...	0	1	0	Hinton, R. ...	0	1	0
Black, Jas. ...	0	1	0	Hodge, Jas. ...	0	1	0
Black, W. ...	0	1	0	Hogarth, R. ...	0	1	0
Blake, Miss E. ...	0	1	0	Howarth, M. ...	0	1	0
Braggild, W. ...	0	1	0	Hughes, Alfred ...	0	1	0
Brown, Jno. ...	0	1	0	Hughes, Fred ...	0	1	0
Brown, Miss M. ...	0	1	0	Hughes, Jno. ...	0	1	0
Bryan, W. ...	0	1	0	Hughes, Mrs. F. ...	0	1	0
Butler, Jno. ...	0	1	0	Hughes, Mrs. J. S. ...	0	1	0
Burrows, Richard ...	0	1	0	Hustfield, Wm. ...	0	1	0
Burrows, Samuel ...	0	1	0	Imrie, Jno. ...	0	1	0
Campbell, D. ...	0	1	0	Inman, Mrs. ...	0	1	0
Campbell, F. ...	0	1	0	Jones, Hugh ...	0	1	0
Campbell, Mrs. F. ...	0	1	0	Jones, Jas. ...	0	1	0
Carter, David ...	0	1	0	Jones, Jas ...	0	1	0
Carter, George ...	0	1	0	Jones, Ralph ...	0	1	0
Caslin, Mrs. ...	0	1	0	Jones, Thos. ...	0	1	0
Chesworth, T., Jun. ...	0	1	0	Jones, Thos. ...	0	1	0
Christian, W. ...	0	1	0	Jones, W. ...	0	1	0
Clarke, R. ...	0	1	0	Jones, W., Jun. ...	0	1	0
Clarke, W. ...	0	1	0	Jones, Mrs. M. ...	0	1	0
Coleman, G. ...	0	1	0	Kearney, J. D. ...	0	1	0
Cooke, Jno. ...	0	1	0	Kirkpatrick, M. ...	0	1	0
Corfield, D. ...	0	1	0	Kirkus, R. W. ...	0	1	0

	£	s.	d.		£	s.	d.
Kite, E. ...	0	1	0	Savage, J. W. ...	0	1	0
Lambert, Jno. ...	0	1	0	Savage, Mrs. J. W. ...	0	1	0
Larrimer, G. ...	0	1	0	Scarth, J. S. ...	0	1	0
Lewis, O. ...	0	1	0	Scarth, W. B. ...	0	1	0
Lewis, Wm. ...	0	1	0	Scarth, W. P. ...	0	1	0
Lloyd, H. R. ...	0	1	0	Seddon, W. ...	0	1	0
Mackenzie, A. ...	0	1	0	Seddon, Mrs. ...	0	1	0
Mark, J. ...	0	1	0	Sephton, J. H. ...	0	1	0
Martindale, Mrs. ...	0	1	0	Sephton, W. ...	0	1	0
Marston, J. E. ...	0	1	0	Shew, R. ...	0	1	0
Mawson, M. ...	0	1	0	Stephen, N. ...	0	1	0
M'Curdy, G. ...	0	1	0	Stewart, Thos. ...	0	1	0
M'Curdy, Mrs. G. ...	0	1	0	Sutcliffe, J. O. ...	0	1	0
Mercer, Mrs. ...	0	1	0	Sutton, Thos. ...	0	1	0
Methwin, Jas. ...	0	1	0	Tait, W. ...	0	1	0
Moss, A. ...	0	1	0	Taylor, Mrs. ...	0	1	0
Myers, Hy. ...	0	1	0	Temple, E. ...	0	1	0
Newall, E. J. ...	0	1	0	Thomas, J. ...	0	1	0
Nicholls, Mrs. ...	0	1	0	Thomas, Mrs. J. ...	0	1	0
Parkinson, James ...	0	1	0	Thompson, S. ...	0	1	0
Peters, Edward ...	0	1	0	Towers, Mrs. ...	0	1	0
Peters, W. ...	0	1	0	Usher, G. H. ...	0	1	0
Planche, J. G. ...	0	1	0	Underhay, R. P. ...	0	1	0
Postlethwaite, J. ...	0	1	0	Veneer, J. R. ...	0	1	0
Pownall, Robt. ...	0	1	0	Vickery, E. J. ...	0	1	0
Quick, Mrs. W. ...	0	1	0	Wallace, Samuel ...	0	1	0
Quilliam, W. H. ...	0	1	0	Walker, Samuel ...	0	1	0
Reed, J. ...	0	1	0	Watkins, J. L. ...	0	1	0
Rimmer, W. ...	0	1	0	Watkins, J. ...	0	1	0
Roberts, R. ...	0	1	0	Whitehall, G., Jun. ...	0	1	0
Roberts, Mrs. G. ...	0	1	0	Whitby, C. ...	0	1	0
Roberts, Thos. ...	0	1	0	Williams, Miss A. ...	0	1	0
Roberts, Wm. ...	0	1	0	Williams, C. ...	0	1	0
Robertson, W. J. ...	0	1	0	Williams, W. H. ...	0	1	0
Robertson, Mrs. ...	0	1	0	Wilson, G. ...	0	1	0
Robinson, W. W. ...	0	1	0	Wood, Jno. ...	0	1	0
Roby, Roger ...	0	1	0	York, F. A. ...	0	1	0
Saunders, J. ...	0	1	0				

*The following DONATIONS have been generously given this year:—*

	£	s.	d.		£	s.	d.
Caine, W. S. ...	100	0	0	Cresfield, W., Jun. ...	5	0	0
Balfour, A. ...	25	0	0	Eskrigge, R. A. ...	5	0	0
MacDougall, R. ...	10	0	0	Friends, per N. Smyth	3	0	0
Babcock, B. F. ...	5	0	0	Jackson, J. H. ...	2	0	0



## APPENDIX.

---

As an Appendix to the Report, it has been thought fit to reprint the Speech of Mr. John Patterson, at the Magistrates' Meeting held on the 30th of December, when the Report of the Committee appointed to inquire and Report "on the legal position of the Magistracy in its relation to the Watch Committee and the Police," was brought up and discussed.

"Mr. John Patterson said he thought he should be able to show sufficient reason why an adjournment of the consideration of the question was almost imperative. It was probably the largest and most important question that had occupied their attention since he had become a magistrate, for it affected not only the relation of the magistrates to the police in Liverpool, but it materially affected that relationship in other parts of the country. He felt indebted to the committee for the care they had taken in going through the matter, but he would have been more indebted if they had referred the magistrates with more care to the authorities on which the report was based. They laboured under the disadvantage of having come there after receiving only a short notice, and also they had the additional disadvantage of being asked to discuss and adopt a document they had never seen. They were asked, in fact, to confirm principles that would contravene historical traditions. The office of justice of the peace was one that was a great deal older than the Municipal Reform Act and the Corporation of Liverpool; and he thought that, if he had not misread Blackstone, the justices of the peace were conservators of the peace for the borough of Liverpool, and had, in common with the high sheriff and the coroner, very important functions to discharge. Probably not much short of equal antiquity was the office of constable. He was the hand of the magistrates, and acted under their direction, carrying out the function assigned to him within his more limited jurisdiction. The magistrates were not only local justices, but when any of her Majesty's judges came to Liverpool they did so by virtue of a commission which set forth that they were on the commission of the peace for the county or borough. In the Act of Parliament creating the Watch Committee he found that a justice of the peace sitting in his own house, or walking about on his own ordinary affairs, had an important duty to discharge. He did not require to sit on the bench to clothe himself with the authority of a justice of the peace; and he (Mr. Patterson) would point out that any constable appointed under the Municipal Reform Act was bound to obey all the lawful commands received by him from any justice of the peace having jurisdiction within the borough or county in which he was called upon to act as constable 'for conducting himself in the execution of his office.'"

In reply to the suggestion that the latter clause limited the authority of the justice, he asked—

“Did anyone suppose that a magistrate would give a constable directions in any matter except in one that concerned the conduct of his office. The Watch Committee, by their own act, ordered Major Greig’s report to be printed and sent to the justices; and he held that the members of that committee might not take upon themselves to act for the town of Liverpool. Important powers were given to the magistrates for the disposal of persons in the custody of the police; and he held that there was a right of visitation inherent to the office of magistrate which enabled a justice of the peace to enter any bridewell and see how persons were treated there who were arrested by a constable. Suppose two gentlemen went into one of the bridewells and said that they were chairman and deputy-chairman of the Watch Committee, and ordered a cell door to be opened and a prisoner allowed to go free, the constable would say, ‘I dare not. He is here subject to the authority of the justices of Liverpool, and although certain orders may be carried out from the Watch Committee, and signed by the Town-clerk, I cannot take from you or any other gentleman, however important and respectable his position may be, any direction for the discharge of the duties of my office.’”

Here the speech had to be broken, and was resumed again on the 12th of January.

“Mr. Patterson said that when he last had the opportunity of addressing the bench on the subject, he expressed his regret that he was obliged to dissent from the conclusions of a committee, for the individual members of which, and especially for the chairman, he had so high a respect—particularly as they had given so much care and thought to the preparation of the report. But he then thought that at the close of their labours they had probably been hurried by the urgency of some of the magistrates, who were anxious to be in possession of the report as soon as possible, and that therefore they had not been able to give that attention which, under ordinary circumstances, they would have done, to the legal aspects of the question. He had therefore felt more at liberty to examine the legal basis on which the magistrates and the police rested, but he would not now attempt to travel over the ground which he had gone over before, in pointing out the relationship between the magistrates and the police, further than to say that when, in the reign of George II., provision was made for the watching of the town, Parliament took care when that provision was made that the watchmen should be under the control of an assistant Constable, who acted under the authority of the Mayor and magistrates of Liverpool. In an Act of Parliament passed in the reign of George IV. justices of the peace were described as ‘persons assigned to keep the peace in any borough,’ and he quoted that as an illustration of the argument that their primary functions and more extensive duties were connected with the peace of the borough, and that their sitting in judgment in a minor court was but one of the forms in which that duty was carried out. On referring to the 57th clause of the Municipal Act, which called upon the treasurer to pay no money except by order of the Council, quarter sessions, or a justice of the peace ‘in discharge of his judicial duties,’ they found that power to make such order was left to any magistrate sitting in his judicial capacity, and not to the assembled magistrates. The Act made the Watch Committee to consist not of any persons that the Town Council might choose to elect, but of a cer-



tain number of persons who, 'with the Mayor,' should form a Watch Committee, and the law did not delegate to the persons chosen—nor even to the Mayor as chairman—the exercise of any authority over the police. The Watch Committee had, he admitted, powers and rights which were very extensive and important for the town and for the good order of the police, but they were only such powers as could be exercised at a meeting, and could not be delegated to members. As to the power of visiting the bridewells, he held that visitation was made with great advantage by the chairman of the Watch Committee; but he (Mr. Patterson) held that that gentleman's right to visit was derived from his being a magistrate, and not from his being chairman of the Watch Committee. There was no such officer known to the law as chairman of the Watch Committee. The magistrates of Liverpool, the head constable and constables, could know no man simply as chairman of the Watch Committee—all they could know was that certain powers were given to the Watch Committee to issue certain orders within certain limits. Suppose, for example, a written order were to come to the head constable from the Watch Committee that he was not to prosecute the keeper of a house of ill-repute, and that a constable mentioned to them, when in the discharge of their duty as magistrates, that he did not prosecute because of having received such orders, he (Mr. Patterson) thought, if their chairman was sitting on the bench, he would soon quash that order, and direct the constable to do his duty (hear, hear.) He did not see how jurisdiction was assigned to the Watch Committee at all; and it was the duty of magistrates to see that their powers were not invaded by their giving their consent to quasi-jurisdiction interfering with them in what they were called upon to exercise. The report missed a great and important fact—that their powers and jurisdiction were not confined to the administration of justice, but that they were charged with the preservation of the peace. No doubt a magistrate sitting upon the bench was entitled to all the information that would enable him to adjudicate upon a particular case, but he thought that if another authority were not set up over the head constable, he would not refuse information in cases where a magistrate was not sitting on the bench. Why were they to say that the information was to be limited to magistrates sitting on the bench. The magistrates who discharged the important duties of visiting justices were not sitting on the bench while discharging those duties, and would anyone tell him that if magistrates sitting in that room required information from Major Greig or any other officer, in order to enable them to better discharge their duties as visiting justices, they would be obliged to send a respectful communication to the Watch Committee asking them to allow the information to be given? He thought it would be very rash if the bench adopted a report which would limit and curtail the powers of the magistracy, and shut them up to ask from the Watch Committee what they were entitled to as a right. As to asking to be furnished with statistics, he had thought whether it was not possible to confine the right to ask for such information to courts sitting, to special committees of the magistrates, or to visiting justices, but when he came to endeavour to put down on paper those limitations, he was met with the consideration that a pretension, he believed, had been put forward that no information whatsoever regarding the bridewells ought to be furnished to any magistrate unless by direction of the Watch Committee; and he did not see, if they adopted that report, how they could get out of that. Referring to the preservation of the peace of the town, Mr. Patterson observed that the law contemplated a state of things wherein the ordinary police force of the borough might be entirely sufficient for that purpose. Had the law provided that the Watch Committee should prepare a list of persons supplementary to the police, and that they should call out the services of those persons? Carrying out the theory of the report before them, he would say that

that would be what he would expect the law to read, but he did not find it so. The law entrusted to the magistrates and imposed upon them the duty of seeing that the peace of the town was preserved, and it required that some one—he did not know who—should prepare a list of persons qualified to act as such constables, who, in case of any emergency, would be called out by any of the justices, if they were of opinion that such a step was needful. It was not his intention to move anything like a negative or amendment upon the report, but he was anxious that they should maturely consider the matter, and not draw hasty deductions from the practices of other towns, where, in fact, no such difficulties had arisen. The propriety of asking another legal opinion on the question might also be considered, and then they might be saved from adopting a report which might hereafter land them in very great difficulty. He was anxious to have harmonious action between the magistrates and the Watch Committee, and he was certain that that would best be done by the magistrates causing their office to be respected, and by upholding their rights and privileges.” (Hear, hear.)



QUESTIONS.		LIVERPOOL.		ANSWERS FROM												
				LONDON—METROPOLITAN.			MANCHESTER.			BIRMINGHAM.			GLASGOW.			
1. Is there a special staff of Police selected for the supervision of Public Houses and Beer Houses to enforce observance of the Licensing Laws? ... ..		Yes.		No			Yes, the Divisional Superintendents select men of their divisions for this duty, and they change them from time to time when they consider it desirable to do so.			No.			No.			
2. If so, how many? ... ..		Six.		None.			About 4 to each division, i.e., 16			None.			None.			
3. Whether Police Inspectors or Constables, or both, or otherwise? and whether in uniform or plain clothes, and the proportion they bear to the number of Public and Beer Houses? ... ..		2 Inspectors in uniform, and 4 Constables in plain clothes to 1,906 Public Houses, 335 Beerhouses and 42 Refreshment Houses with Beer Licenses (see Police Returns Table 28).					They are generally Constables, but occasionally a Sergeant may be employed—on this duty always in plain clothes—16 Police Constables to 482 Public and 1887 Beer Houses.			None.						
4. Do they perform any other duty? Have they any special rate of salary? Whether any and what proportion of the time of any of them is occupied in making inquiry as to the character of houses applying for transfers and for new licenses, for the information of the Licensing Justices at the Transfer and Annual Licensing Sessions?		Chiefly engaged on Public House duty. The ordinary pay of the rank or class to which they belong. The Inspectors are engaged three or four days before the Transfer Sessions, which are held once every six weeks, and again for about four weeks before the Annual Licensing Session.		The Inspectors, Sergeants, and Constables on ordinary duty have the supervision of all Licensed Premises, and make all enquiries as to the Character of Applicants for New Licenses or for Transfers. The inspection of houses is not restricted to any day, but more frequent visits are made by Inspectors and Sergeants on Sunday than on any other day.			They perform the ordinary duty of their rank when not specially engaged in Public and Beerhouse duty; they receive the pay of their rank, and nothing more. They are not employed in these inquiries.			Officers in plain clothes are sent out on Sundays to visit Public Houses. They perform ordinary police duty, and get the ordinary rates of pay. Character of persons applying for new Licenses or for Transfers inquired into by Divisional Superintendent on whose ground the persons are going to reside. Divisional Superintendents look after sanitary conveniences.			The duty of enforcing the law in regard to Public Houses, &c., is performed by the whole Police Force as any other ordinary duty; but as a rule an officer of the rank of Inspector or Sergeant is generally one of the party engaged in making inspections either as regards the way in which the business is conducted, or as to the construction or state of the premises.			
5. The same as to inquiries relative to the sanitary conveniences of Public Houses, &c., previous to the Annual Licensing Sessions? ... ..		Both Inspectors are engaged about six weeks in June and July in this duty.					Do. do.			Divisional Superintendents look after sanitary conveniences.			N.B.—There are only three kinds of licenses for the retail of spirituous liquors in Scotland.			
6. Whether such special inspection is continued during the week-days, in addition to Saturdays and Sundays? ... ..		Yes; it is continued throughout the week, but more particularly on Saturday nights, and Sundays during prohibited hours.					No, unless under special circumstances.			No special inspection during the week.						
7. The average number of Public-Houses, &c., visited daily by each of these Inspectors? ... ..		50 daily by each. Total about 100.					It would be difficult to arrive at an average of the number of houses visited.									
8. Extent of supervision exercised by the ordinary Police? ... ..		The Inspectors on general duty, night and day, are held responsible for the good conduct of all Public Houses, Beerhouses, &c., on their respective Sections, and they visit them accordingly.					The ordinary Police do not exercise any supervision over Public and Beer Houses, and only enter them in case of disorder, &c., and in such cases, unless immediate action be required, a Constable would report the case to his Sergeant.			Constables on beats and Sergeants of Sections are held responsible that all Public-Houses are closed at the proper hour, and to report all infringements against the License.						
9. Do Constables visit Public-Houses singly?		As a rule they do not, unless when by waiting for another officer the ends of justice might be defeated.		No, if they can without any inconvenient delay resort to a superior officer.			The Constables do not visit Public Houses singly.			Yes.						
10. As to the amount of stringency in observing the hours of opening and closing? ...		The law is strictly carried out by the Police.		The law is strictly carried out, and any irregularity observed reported to Commissioner for Summons.			The Hours fixed by Act of Parliament strictly enforced.			Ten minutes' grace allowed.			Public Houses are shut from 11 p.m. on Saturday till 8 a.m. on Monday			
11. Area of Police District? ... ..		7½ square miles.		688½ square miles.			6 square miles			13½ square miles.			Hotels 33, Public Houses 1565, Groceries 269.			
12. Number of Public-Houses? ... ..		1,906 Public Houses.		6,912.			482			680						
13. Number of Beer-Houses? ... ..		335 Beerhouses and 42 Refreshment Houses with Beer Licenses.		4,125.			1,887			1,134						
14. Number of Informations during the year ended 29th Sept., 1874, under the following heads:—																
		Total	Discharged	Fined	Total	Discharged	Fined	Total	Discharged	Fined	Public Houses and Beer Houses not separated, Total Dis, Fined			Total	Discharged	Fined
Permitting drunkenness ... ..		9	6	3	20	6	14	9			Permitting drunk'nss 5 3 2					
Selling during prohibited hours ... ..		51	31	20	126	58	68	10			Selling prohibited h's, 131 33 98			24		15
Harbouring bad characters ... ..		2	0	2	5	3	2	1			Harbouring bad char. 1 1 0			1	1	0
Other offences ... ..		7	2	5	31	11	20	1			Other offences... 27 13 14			5	1	4
		69	39	30	182	78	104	21	5	16				30	11	19
Permitting drunkenness ... ..		1	0	1	22	7	15	35								
Selling drink during prohibited hours... ..		49	13	36	77	25	52	64								
Harbouring bad characters ... ..		0	0	0	0	0	0	0								
Other offences... ..		1	1	0	25	6	19	12								
		51	14	37	124	38	86	111	31	80						

